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45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. 1, Part 6.

FOURTH ANNUAL REPORT

OF THE

COMMISSIONERS

OF THE

DISTRICT OF COLUMBIA,

EMBRACING THE PERIOD FROM

NOVEMBER 30, 1876, TO NOVEMBER 1, 1877.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1877.

REPORT

OF

THE COMMISSIONERS.

OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
Washington, November 26, 1877.

To the PRESIDENT:

The Commissioners of the District of Columbia submit the following as their fourth annual report, covering the transactions of the government for eleven months, ending October 31, ultimo.

We have adopted the 31st October as the end of the fiscal year of the District government, in lieu of November 30, as heretofore, for convenience in the preparation of our annual report to Congress.

The funded debt of the District of Columbia is $8,379,691.96, as follows:

Registered stock and coupon bonds of the late corporation of Washington	$1,065,350 00
Registered stock of the late corporation of Georgetown	249,991 96
Coupon bonds of the District of Columbia	7,064,350 00
Total	8,379,691 96

Bonds amounting to $150 of this debt, viz, three-year Emery bonds of the late corporation of Washington, $100; county school bond of the District of Columbia, $50, are overdue, and the interest thereon has ceased to run. These bonds will be redeemed on presentation to the sinking-fund commissioners.

The interest on the above debt has been regularly paid out of the revenues of the District of Columbia.

The amount required for the payment of the annual interest on the funded debt is $515,193.01, of which $348,600 is payable in gold, and $166,593 01 in currency.

The debt bears interest as follows:

Principal.	Interest.
$7,052,241 96, at 6 per cent. per annum	$423,134 51
1,251,800 00, at 7 per cent. per annum	87,626 00
53,000 00, at 5 per cent. per annum	2,650 00
20,000 00, at 8 per cent. per annum	1,600 00
2,500 00, at $7\frac{3}{10}$ per cent. per annum	182 50
$8,379,541 96	515,193 01

The debt matures and is redeemable as follows:

At pleasure	$995,091 96
January 1, 1879	279,250 00
March 1, 1879	2,500 00
July 1, 1881	20,000 00
September 24, 1884	20,000 00
July 1, 1891	4,670,000 00
July 1, 1892	1,300,800 00
October 1, 1901	431,000 00
November 1, 1902	660,000 00
	8,379,541 96

The stock, bonds, and certificates evidencing this debt were issued by the late corporations of Washington and of Georgetown, and by the District of Columbia, with the consent of the people, as expressed through their representatives, and under ordinances and laws legally passed; and the principal and interest, as they severally mature, must be paid out of the revenues of the District. Some provision will have to be made for the redemption of that portion of the debt maturing in January and March, 1879, amounting to $281,750. These are the ten-year bonds of the corporation of Washington, issued under an act of Congress approved July 27, 1868, $279,250; and the Georgetown steam force-pump bonds, issued under act of the legislative assembly approved June 26, 1873, $2,500.

An accompanying statement gives a description of the stock and bonds issued, and by what authority; the rate of interest, and when payable; amount of bonds outstanding and dates of their maturity.

The board of audit, created by the sixth section of an act of Congress approved June 20, 1874, entitled "An act for the government of the District of Columbia, and for other purposes," were required to examine and audit for settlement all the unfunded or floating debt of the District of Columbia and of the board of public works, as specified in said section. This included—

First. The debt evidenced by sewer-certificates.

Secondly. The debt purporting to be evidenced and ascertained by certificates of the auditor of the board of public works.

Thirdly. The debt evidenced by the certificates of the auditor and comptroller of the District of Columbia.

Fourthly. Claims existing, or thereafter created, for which no evidence of indebtedness had been issued, arising out of contracts, written or oral, made by the board of public works.

Fifthly. Claims for which no evidence of indebtedness had been issued, arising out of contracts, written or oral, made by or on behalf of the District of Columbia.

Sixthly. All claims for private property taken by the board of public works from the avenues, streets, and alleys of the cities of Washington and Georgetown.

Seventhly. All unadjusted claims for damages that may have been presented to the board of public works pursuant to an act of the legislative assembly, entitled "An act providing for the payment of damages sustained by reason of public improvements or repairs," approved June 20, 1872, enlarged by the joint resolution of Congress approved December 21, 1874, to admit the presentation of other claims.

Eighthly. Sewer taxes or assessments paid under the act of the legislative assembly of said District, entitled "An act creating drainage and sewerage sections in the cities of Washington and Georgetown, in the District of Columbia, and providing for payment of the construction of sewers and drains therein by assessments and issuing certificates therefor," approved the 26th day of June, 1873.

Under the 6th section of said act approved June 20, 1874, and the joint resolution of Congress approved December 21, 1874, the board of audit examined, allowed, and issued certificates for claims, amounting in the aggregate to	$14,501,476 15	
Of the certificates thus issued, there were converted into 3.65 bonds, guaranteed by the United States, as authorized by the 7th section of said act, approved June 20, 1874		13,743,250 00
Leaving outstanding certificates of the board of audit not converted into 3.65 bonds at the time of the passage of the joint resolution of Congress approved March 14, 1876, prohibiting the further issue of said bonds		758,226 15

Of the certificates thus outstanding, $663,637.88 had been delivered to the claimants by the board of audit, and the remainder of said certificates, $94,588.27, were turned over to the Commissioners of the District by that board, together with their papers and records, as required by the joint resolution of Congress abolishing said board, and are now in the custody of the auditor and comptroller of the District, except certificates amounting to $717.15, which have since been delivered to the claimant by the Commissioners of the District, in compliance with a *mandamus* issued out of the supreme court of the District of Columbia, and to them directed, commanding the delivery of the said certificates to the claimant.

The board of audit also allowed claims in class 4, relating to contracts with the board of public works, for which certificates were not issued by them, amounting to $133,829.26.

In addition to this amount, there are claims in this class for work done, the measurements of which have been made and certified by the engineer of the District, but were not transmitted by him to the board of audit, comprising all work completed to date of cancellation of contracts, pursuant to the joint resolution of Congress approved March 14, 1876—$143,186.62.

AGGREGATE AMOUNT OF THESE CLAIMS.

Claims allowed by the board of audit for which certificates were issued but not converted into 3.65 bonds (outstanding certificates of the board of audit)	$758,226 15
Claims allowed by the board of audit for which certificates were not issued	133,829 26
Claims in class 4, relating to contracts with the board of public works for work done, the measurements of which have been made and certified by the engineer of the District, but were not transmitted by him to the board of audit	143,186 62
	1,035,242 03

In addition to the above there were presented to the board claims which were not acted on by them—

In class 2, auditor's certificates	$589 29
In class 4, relating to contracts with the board of public works	43,610 57
In class 5, claims against the District of Columbia, on contracts written or oral	314 00
In class 8, sewer taxes	4,938 48
Total	49,452 34

There are also outstanding claims which were not presented to the board in—

Class 1, sewer certificates	$87,350 00
Class 2, auditor's certificates	15,160 15
Total	102,510 15

Aggregate amount of these claims, viz:

Claims presented to board and not acted on	$49,452 34
Outstanding claims which were not prssented to board	102,510 15
Total	151,962 49

Recapitulation.

Old funded debt	$8,379,691 96
3.65 bonds, guaranteed by the United States	13,743,250 00
Total bonded debt	22,122,941 96

Outstanding certificates of the board of audit, and claims allowed but not certified, and certified measurements by the District engineer of work done, relating to contracts with the board of public works, which were not presented to board of audit	$1,035,242 93
Claims presented to the board of audit and not acted on, and outstanding claims not presented to the board	151,962 49
Total outstanding claims	1,187,204 52

Recapitulation.

Total bonded debt	22,122,941 96
Total outstanding claims	1,187,204 52
Total debt	23,310,146 48

This statement does not include claims audited and allowed by the board of audit, but not certified in class 6, relating to private property taken by the board of public works from the avenues, streets, and alleys of the cities of Washington and Georgetown, amounting to $113,954.14. The board of audit, in their report of December 7, 1874, to the President, in reference to this class of claims, say: "The board of audit does not regard these claims as constituting a portion of the debt of the District, but as means of the property-holders for extinguishing so much of the special-tax liens upon their property which have not been paid, and whether assessed or as yet unassessed," that they regard (them) "these claims as due to the separate lots rather than in favor of the persons presenting them," and "that the sums allowed should be credited in part payment of special assessments for improvements made upon the several parcels of real estate to which the property taken appertained respectively." The opinion thus expressed has been concurred in by the Commissioners of the District, and the amounts found due on these claims are being credited on the unpaid assessments for special improvements issued by them to the several lots or parcels of real estate to which the property taken respectively appertained, and where said assessments are paid they are received in payment of other of their unpaid assessments for special improvements.

It remains for Congress to provide for the payment of the outstanding certificates of the board of audit, for claims allowed by the board for which certificates were not issued, and for certified measurements by the District engineer for work done under contracts with the board of public works and not reported to the board of audit, amounting to $1,035,242.03; also to make provision for the examination and audit for settlement of those claims presented to the board of audit and not acted on, and also of those which were not presented to the board, amounting to $151,962.49.

As an act of justice, the claimants should be promptly relieved from further embarrassment occasioned by the delay in the settlement and payment of their accounts. The outstanding certificates and claims allowed by the board of audit, and measurements certified by the engineer of the District, for work done under contracts with the board of public works, not reported to the board of audit by reason of its discontinuance, should be paid in 3.65 bonds, guaranteed by the United States, or in securities of equal value, and the claims above mentioned, not presented to the board of audit, or, being presented, were not acted on, being a class of indebtedness similar to the claims allowed by the board,

should, when ascertained and certified as correct by the tribunal which may be authorized to examine and audit them, be paid in like manner.

The total amount that can be thus converted into 3.65 bonds is $1,187,204.52, which, added to the 3.65 bonds already issued ($13,743,250), will make the total amount of said bonds $14,930,454.52.

The advances of the United States for the payment of interest on the 3.65 bonds, due August, 1876, February and August, 1877, are not included in the foregoing debt statement; nor the advances by the United States to be reimbursed out of the taxes now in process of collection.

Appended to this report will be found a memorial from holders of some of the foregoing claims, embodying a statement of the grounds on which they urge their payment in the equivalent of the 3.65 bonds, to which we invite the consideration of Congress.

There were issued by the board of public works, under an act of Congress approved February 21, 1871 (the organic act), entitled "An act to provide a government for the District of Columbia"; and an act of the legislative assembly, approved August 10, 1871, entitled "An act prescribing the mode of assessments for special improvements, and providing for the collection thereof"; and an act amendatory thereof, approved August 23, 1871, certificates of indebtedness against property in the city of Washington, for its proportionate amount of the cost of improvements assessed thereon by the board of public works, amounting to $810,233.97.

These are known as lien-certificates, and were issued at various dates between September, 1871, and April, 1873, according to the time assessments were made by the board of public works, and bear interest at the rate of 10 per cent. per annum. They are not considered a part of the debt of the District, but are charges or liens on the specific property against which they are issued, and payable out of the same, and are in the hands of private parties. As the assessments on the property against which the certificates have been issued are paid, the clerk in charge of special assessments applies the money received by him to the payment of the certificates, and cancels them. There has been collected on account of these liens, the certificates having been redeemed and canceled, $501,002.72; leaving outstanding November 1, 1877, $309,231.25.

There were also issued by the board of public works, under the first section of the act of the legislative assembly, approved May 29, 1873, entitled "An act for extending the times of payment of special assessments, and for other purposes," certificates of indebtedness (commonly called greenbacks), dated July 1, 1873, bearing interest at the rate of eight per cent. per annum, and payable not exceeding one-fifth of the amount of certificates issued at the end of each year from

July 1, 1873, to July 1, 1878, amounting to	$2,000,000
Of the certificates thus issued there have been redeemed and canceled	1,193,900
Leaving outstanding November 1, 1877	806,100

For the payment of the principal and interest of these certificates of indebtedness, there are pledged, by the second section of the act of the legislative assembly authorizing their issue, all certificates thereafter issued by the board of public works, on account of assessments for special improvements against the property adjoining and benefited thereby, and all payments on said assessments are to be received, held, and applied, under the direction of the commissioners of the sinking-

fund, to the payment of the principal and interest of the said certificates, and for no other purpose.

Under this section of said act, there are deposited, with the commissioners of the sinking-fund, certificates issued (after the passage of said act) by the board of public works and by the Commissioners of the District, for special improvements against the property adjoining and benefited thereby, which remain unpaid	$703,006	41
There are also uncollected assessments made by the Commissioners of the District for which no certificates have been issued, amounting to	1,253,903	62
Total	1,956,910	03

pledged to the redemption of the outstanding 8 per cent. certificates of indebtedness, amounting to $806,100.

The amount thus pledged is exclusive of all drawbacks heretofore allowed as credits on said assessments, either by the board of public works, the board of audit, or the District Commissioners; subject, however, to be somewhat reduced by correction of errors which the District Commissioners shall find in the revision of said assessments, and by allowances of additional drawbacks for property (old material) taken from the avenues, streets, and alleys of the cities of Georgetown and Washington.

These drawbacks, when allowed, are credited to the assessments against the specific property to which the old material appertained, if said assessments are unpaid; but if the said assessments are paid, the drawbacks are received in payment of any uncollected assessments made by the Commissioners.

The amount collectible from said assessments, after the correction of errors and allowances of all drawbacks, will be more than sufficient for the redemption of the outstanding 8 per cent. certificates, to the payment of the principal and interest of which said assessments stand pledged, and will leave a surplus to be applied to other purposes. The amount which will thus remain cannot be stated with accuracy until our revision of the assessments shall have been completed and the amount of all drawbacks ascertained.

To avoid embarrassments and the exercise of any doubtful authority for the revision of the assessments for special improvements made by the board of public works, it is thought advisable by the Commissioners that legislative authority be given them to make such revision, and they respectfully ask for the authority from Congress.

The following statement is made in explanation of the proposed revision, and of the need for legislation to authorize the revision of assessments made by the board of public works.

We followed the rules adopted by that board in preparing our first assessments, on the assumption that they imposed no assessment for improvements on adjoining property exceeding one-third of the cost pursuant to law; but we found that further charges had been made against private property, devolving the duty upon us of so modifying the rules of assessments as to bring them within the requirement of the law. These excessive charges embraced the following items, viz: (1) lowering water-mains necessitated by change of grade of streets, the mains having been originally paid for by special assessments; (2) work twice done, by reason of changes in grade made during the progress of the improvement; (3) improvements in front of church property exempted from taxation; (4) hauls of great length in making excavations when nearer suitable places of deposit existed; (5) costs of sewers without regard to size or extent of area drained; (6) two feet of grading included in the contract-price for wood and other pavements, but not

deducted therefrom when the work was done by and paid for to contractors for grading, thus being twice paid.

The propriety of striking out such charges is sufficiently manifest without explanation, except, perhaps, in regard to sewers. Beginning with the smallest pipe in use, drainage is effected through a system of pipe and brick sewers entering successively those of larger size, until they finally discharge through the great main sewers, having their outlets at the river, and carrying the entire drainage of a sewer district. The area thus drained is in all its parts equally interested in the whole connection of sewers by which the river is reached. Having in view this fact, it seems unjust to tax one street for a 12-inch pipe sewer, while a neighboring one is taxed for a 3-feet brick sewer, made thus large to carry the accumulated drainage of several streets. We have adopted, as a uniform charge, the cost of a 15-inch pipe sewer as being a fair average size for the drainage of each locality. The amount charged varies only in the cost of laying the pipe, depending upon the depth at which it is laid.

The angles at which the avenues cross the streets form numerous triangular lots, bounded by streets upon two or more sides, in such manner that their area bears no just proportion to the length of the sides assessed, making, in their cases, the usual rate of assessment oppressive.

The rule was made that lots of this character not suitable for subdivision should be assessed only for one-half the sides bounded by streets embracing the lesser angle; this rule substantially placing the lots on the same footing as corner lots.

Five per cent. was uniformly charged by the board of public works for engineering work and superintendence, which rule was followed by us until recently, when estimates of the actual cost of such werk led us to regard the charge as excessive. We have accordingly ordered statements of the cost to be prepared in the case of each improvement, that cost to be charged in lieu of the five per cent.

The board of public works also fixed rates to be allowed as drawbacks for old material taken up on streets and relaid. The material so used was charged in assessments at rates higher than the allowance made to property-holders, plus the cost incurred in relaying. The board of audit usually adopted the rates of the board of public works, but, when departing from them, seems not to have fixed upon other rates having reference to the charges made for assessment. We have thought it just to adopt the rule of allowing property-holders as drawback for old material the net amount received by the District for it.

An examination of the statements of the cost of improvements prepared as the basis for assessment by the officers of the late government, discloses erroneous charges. Hence the greater necessity for the authority asked for to revise the unsettled assessments of the board of public works, for the correction of the same, and the establishment of uniformity in the assessment on private property for public improvements.

The operation of the modified rules applied to these assessments, and the character of the corrections to be made, are illustrated in the accompanying statement, prepared by the assistant engineer, of the assessment of Pennsylvania avenue east, and of Massachusetts avenue.

Tabulated statements are submitted by the engineer in his accompanying report, showing:

Balances on account ef expenditures rendered for special assessments by the board of public works and District Commissioners, from 1872 to 1877, including asssessments made for street improvements and alleys;

Balances on account of expenditures rendered for special assessments by the board of public works, from 1872 to 1874, including the last assessment made under said board;

Balances on account of expenditures rendered by the District Commisssioners for special assessments, from 1874 to 1877, to include the last assestment made of streets, avenues, roads, and alleys.

The revenues of the government of the District of Columbia, for eleven months ending October 31, ultimo, including unexpended balance on hand December 1, 1876, were $2,604,067.99, as follows:

Appropriations, of which $400,000 are to be reimbursed to the United States	$779,000 00
Taxes and revenues from other sources	1,712,125 77
Cash on hand December 1, 1876	112,942 22
Total receipts	2,604,067 99
The expenditures during the same period were	2,516,461 77
Leaving a balance on hand, November 1, instant, of	87,426 22

As follows:

On account of removal of old jail (appropriation, act January 20, 1877)	$2,104 13
On account general purposes	85,322 09
Total net balance subject to check	87,426 22

Detailed statements of the foregoing receipts and expenditures will be found in the accompanying report of the comptroller and auditor.

No embarrassment has resulted from the consolidation of the two offices of comptroller and auditor.

The treasurer reports 2,100 licenses issued from the office, 13,060 warrants countersigned by him, and the deposit of the daily receipts in the United States Treasury, as required by law.

The commissioners of the sinking-fund give much valuable information in their accompanying report respecting the different classes of the District securities, when and under what authority issued, when due, their rate of interest, &c.

They show a reduction of $25,884.25 of the old funded debt since their last annual report, and of $503,788.22 since December 1, 1874; that the interest on the debt for the next fiscal year will be $1,702.56 less than of the last year; and urge that provision be promptly made for the payment of the principal of $281,750 of bonds issued respectively by the corporations of Washington and Georgetown, which mature before the 1st of July, 1879.

In addition to the foregoing amounts, we have paid to the commissioners of the sinking-fund $166,350, for the redemption of all 8 per cent. water-fund certificates issued under the act of the legislative assembly, approved June 23, 1873, entitled "An act authorizing the commissioners of the sinking-fund to issue certificates to pay for laying water-mains," &c., making the whole reduction of the District debt during the past year $192,234.25.

They recommend the providing of a sinking-fund for the redemption of all the outstanding obligations which constitute the old funded debt of the District, and an appropriation of $100,000, to be applied during the coming year in the purchase of such District securities as can be most advantageously bought. In addition, we recommend the providing of a suitable sinking-fund for the redemption of the 3.65 bonds.

They report a reduction of $192,600 of the special-improvement 8 per cent. bonds secured by assessments on private property since their last annual report.

The amount of securities sent to the United States Treasury for destruction by burning, as provided by law, since December 1, 1876, is $856,504, and $39,018 coupons attached to the bonds.

They renew their recommendation made in their last annual report for the transfer of their duties to the United States Treasury Department.

The collector reports, in detail, the receipts of his office and transfers of stock of the late corporations of Washington and Georgetown, from December 1, 1876, to October 31, 1877. He fully explains, also, the transactions of his office in connection with the repavement of Pennsylvania avenue, under the act of Congress entitled "An act authorizing the repavement of Pennsylvania avenue," approved July 19, 1876.

The receipts of his office were as follows:

From general taxes for year ending June 30, 1877	$1,256,768 06
From taxes in arrears	171,302 36
From licenses	91,983 03
From miscellaneous sources (trust fund), not available for District purposes	57,763 23
	1,577,816 68

There have been transferred of—

Washington stock	$34,496 41
Georgetown stock	21,731 56
Total transfers	56,227 97

He reports, that of the tax-levy on real and personal property for year ending June 30, 1877, about 75 per centum has been received.

The assessments for taxes on the real property in the District, as reported by the superintendent of assessments and taxes, amount to $97,609,890, as follows:

In Washington	$83,101,484
In Georgetown	6,028,041
In Washington County	8,480,365

Which is an increase over the last annual assessments of $1,624,678.

The assessors report the increase as follows:

In Washington	$2,416,443
In Georgetown	98,009
In the county	104,150
Total	2,618,602
Reduction made by board of appeals	993,922
Net increase	1,624,678

The assessors report that 3,754 personal returns (1,334 being blank) have been made, representing in value $8,983,109, against 6,438 personal returns last year (2,298 in blank), representing $12,688,598.

They make several suggestions relating to the tax system of the District.

They recommend the making of a new and general assessment of real property, to begin the first of January next, with a view of equalizing the same, and securing more uniformity of assessments than now exists, and an amendment of the existing tax-law to make the beginning of the annual assessment in April instead of July.

A general reappraisement, as suggested, would, in their opinion, result in a large reduction of the valuation of property in the District.

They report that since the first instant they have received 2,234 returns of personal property, amounting to $327,760, making the whole number of returns 3,988, and the value of property returned $9,310,876.

They estimate the assessments of personal property which they are preparing to enforce, including the penalty, at $4,500,000, which will aggregate the personal property taxable for the current year $13,810,876 against $14,251,426 last year, a reduction of $440,550.

The taxable property in the District, thus estimated, is—

Real property	$97,609,890
Personal property	13,810,876
Total	111,420,766

showing an increase of $1,184,128 of the total assessment of taxable property in the District as reported last year.

The operations of the engineer department during the past year, exclusive of the ordinary repairs of streets, have been chiefly confined to the substitution of stone and bituminous pavements of Washington and Georgetown for decayed wooden pavements, and the completion of the system of sewerage for a part of Tiber valley, under appropriations of the last Congress, respectively of two hundred and fifty thousand and twenty thousand dollars, detailed statements of which will be found in the accompanying report of the engineer.

The engineer reports 754,185.33 square yards of coal-tar and 92,174.20 of native asphalt and asphaltum pavements to be taken care of by the District, needing an annual expenditure of $150,837.06; and 788,634 square yards of wooden pavements, requiring attention, of which 286,754 are selected as being in the worst condition, needing immediate repair. Not less, he reports, than $500,000 should be expended within the current year for the repair of wood and concrete pavements, and $1,000,000 could be profitably spent for the purpose. We recommend an appropriation of $500,000.

The engineer presents a tabulated statement of the receipts and expenses of the several markets, from December 1, 1876, to November 1, 1877, showing the revenues to have been $15,904.29, and expenses $7,683.30.

He calls attention, also, to the importance of certain projected works of improvement, including that of the establishment of a new river front, and the reclamation of the marshes bordering the city of Washington. We invite the attention of Congress to his observations on this subject, and to the accompanying correspondence relating thereto, between the president of the Chesapeake and Ohio Canal Company and others, the District Commissioners and the Secretary of War, covering a report from the office of the Chief of Engineers.

We venture to express the hope that the favorable consideration of Congress will be given to some practicable plan for the making of the proposed improvement, under the direction of the War Department. The commercial and the sanitary interests of the District alike demand it.

The total expenses of the repair department for the eleven months ending October 1, 1877, were $60,423.42, as follows: Work, labor, including salaries, miscellaneous, northern market, that of improvement of streets, repairs of concrete work, charged to contractors, cleaning and repairs of sewers and traps, and general repairs, $56,961.46. For material, $3,462.46.

The surveyor gives detailed statements relating to assessments for special improvements. Also tabular statement of streets, avenues, and county roads, assessed since the last annual report, apportioned under

their respective heads, to which are added all expenditures for alleys assessed.

Assessments have been made during the last year on account of two hundred and thirty-two streets and avenues in Washington, Georgetown, Mount Pleasant, and Uniontown; and fifty-four roads and avenues in the county.

One hundred and thirty-six alleys have also been assessed; one of them after condemnation by marshal's jury.

The surveyor refers to, and intelligently explains, other matters of much interest to the District.

He closes his report in what we regard as conclusive reasons for restoring his office to a salaried one, and we join in his recommendation therefor, and for the appointment also of an assistant. This will require the repeal of so much of the third section of the act "for the government of the District of Columbia, and for other purposes," approved June 20, 1874, as prohibits the payment of any salary or compensation to the surveyor of the District, or any of his subordinates, except such fees for special services as are allowed by law, and abolishes the offices of assistant surveyor and additional assistant surveyor of the District.

The total length of water-mains laid and used in the distribution of Potomac water in the District of Columbia is 877,906 linear feet, or a fraction over 166 miles. Of these there were laid by the

	Miles.
United States	$17\frac{3970}{5280}$
District of Columbia	$5\frac{1448}{5280}$
Washington	$10\frac{2200}{5280}$
Water department, including Georgetown	$132\frac{4367}{5280}$

The location, diameter, and length of mains, with number and locations of mains lowered, the numbers of fire-plugs, stop-valves, and branches of mains, are reported in detail by the registrar, with statements relating to hydrants, pumps, fountains, leaks, taps, gauges, and of miscellaneous matters connected with the water department. We invite the special attention of Congress to the matter of water supply for the District. The need of additional supply and of improved methods for the distribution of water is fully presented in the registrar's report. He estimates the cost of such improvement at $1,000,000. We invite attention also to the suggestions of the engineer on this subject in his accompanying report.

The total receipts of the water department during the last year were	$106,722 26
Expenses, not including $15,000 paid in the redemption of water-stock bonds	82,336 68

The water-tax is by law pledged as a fund to defray the cost of distributing the water, including all necessary fixtures and machines connected with the distribution.

The parking commission report 8,654 trees planted since November 1, 1876, and 287 to fill the places of trees destroyed by storms, &c. There are now over 40,000 trees of recent planting in Washington.

There have been expended for lamps and gas, from November 30, 1876, to November 1, 1877, $132,318, as follows:

In Washington	$120,183 82	
In Georgetown	12,134 42	
Number of street-lamps in Washington	3,449	
Number of street-lamps in Georgetown	371	
		3,820

The inspector of buildings reports the whole number of buildings in

Washington and Georgetown to be 27,191; of these 747 were erected during the last year, their estimated value being $1,717,221.

In February last the Commissioners adopted a thoroughly revised and comprehensive system of building regulations, including a tariff of fees for permits for the erection, &c., of buildings. These rules, with slight modifications suggested by their practical operation, are rapidly securing the public approval, while the permit fees promise a revenue toward the support of that bureau.

The commissioners and superintendent of the fire department urgently recommend the organization of three additional fully-equipped engine companies and one truck company, at an estimated cost of $87,225, which we trust may have the approval of Congress, and that suitable appropriation therefor may be made in aid of the District resources.

We invite attention also to the reasons presented by the president of the department in his accompanying report for the payment by the government of 50 per cent. of the expenses of the department, instead of the amount of the annual appropriation heretofore made of $25,000, which is less than one third of its expenses.

Legislation is also asked to require proprietors of hotels and of other buildings where large numbers of persons congregate to provide suitable fire-escapes.

Full statements are made in the accompanying report of the superintendent of the work of the department during the last year, the number of fires, the losses and insurances, inventories of the property held by each company, and a complete roster of the force composing the department.

We commend to the favorable consideration of Congress the fire department, in all its branches, for its efficiency and economical administration.

In his report, the attorney makes mention of some of the pending suits in the District courts, in which the District government is a party. He refers to some important principles affecting the District, settled by the courts during his administration of its law department, and cautions against certain legislation.

Referring to the water-front of Washington, he recommends legislation to authorize legal proceedings on behalf of the United States to annul a certain patent, issued in 1869 to one Kidwell, for a large tract of the flats lying north of the Long Bridge, and also to obtain possession of portions of the Water-street front on the Potomac, unlawfully taken by individuals. The right of the United States to the water-front of that street he considers indefeasible.

He recommends, also, legislation for the simplifying of the system of assessments for street improvements, and specifies different classes of assessments made by the old corporation of Washington, or under its ordinances, and under the late board of public works; and suggests various amendments of the laws governing the District.

The special assistant attorney in charge of the police-court cases reports 4,537 cases tried from November 15, 1876, to October 31, 1877, in which there were 3,825 convictions, 149 acquittals, 495 dismissals, 68 suspended, and 147 appealed to the District supreme court. The fines imposed amounted to $24,382, and $5,301.88 forfeited collaterals.

The coroner reports 185 deaths certified by him during the year ending October 31 ultimo, against 169 the preceding year, as follows: Suicides, 6; homicides, 6; infanticides, 17; accidents and negligences, 97; diseases, 59. He notes the increase of infanticides and deaths from neglect of unknown infants, as compared with those of the preceding

year, and suggests, as a means to prevent such crime, the offer of a reward to persons furnishing evidence of the guilt of the offenders, to be expended by the chief of police or the coroner.

The board of health estimate their expenses for the coming year at $43,055, one-half of which, $21,527.80, to be paid by the District, and in addition $15,000, more or less, for the garbage service and $1,000 for burial of paupers; in all, $59,055.

The number of youth of school age in the District, according to the United States census of 1870, was, white, 21,177; colored, 10,494; total, 31,671.

The whole number of pupils enrolled in the public schools for the school year ending June 30, 1877, was 21,264. Increase of enrollment over last year, 1,635. The number of teachers employed for the school year was 330. The number of school-rooms owned by the District is 237. The number rented is 95. The total expenditures for the support of the schools for the school year were $310,996.24.

We invite attention to the accompanying report of the trustees and superintendents, and commend their recommendation for an annual enumeration of the children in the District, of school age, to secure a proper distribution between the white and colored schools of the money furnished for their support, and other important purposes connected with their interests. We join in their recommendation that school buildings to be erected and owned by the District be substituted for rented buildings.

We commend also their recommendation for an appropriation by Congress of $75,000, to enable them to continue the schools until the regular close of the school year. The amount which the Commissioners can set apart for the use of the schools during the present year from the District treasury, will, unaided by Congressional appropriation, compel the closing of the schools not later than the 1st of May, about two months earlier than their regular closing period. Congress, at its last session, made an appropriation of $75,000 for a like purpose.

It is proper to add that, without a material increase of the revenue of the District, only attainable by higher taxes, it is unequal to the school wants on the existing basis of their accommodations; and without liberal Congressional relief, the alternative is enevitable, either to shorten the annual school year, not to exceed eight months, or to largely reduce the number of pupils and teachers. Either will be a calamity. The schools are now in excellent condition, and daily growing in the public favor. The number of pupils is larger the present than last year, and would doubtless be much larger if suitable accommodations could be provided. Every substantial interest of the District will be promoted in the success of its public-school system, and its enlargement from time to time to meet the wants of its increasing population.

We trust Congress will give its careful consideration to this important subject, and establish a liberal system of annual appropriations in aid of the District for the support of the schools. The obligation to do so is strengthened by the fact that since 1794 Congress has contributed, by loan and otherwise, in money, only $253,588.51 to the support of the public schools in the District of Columbia, while during the six years alone ending June 30, 1877, there was expended on account of the public schools in the District an average of $397,651.70 annually, or an aggregate of $2,386,910.23.

In view of these facts the request of the trustees for the payment by the United States of one-half the annual expenses of the schools is not unreasonable.

The subject of District charities and reformatory institutions will be found intelligently treated in the accompanying reports of—

1st. The commissioner of the Washington Asylum.
2d. The intendant of the Washington Asylum.
3d. The visiting physician of the Washington Asylum.
4th. The president and county almoner of the relief commission.
5th. The president of the Industrial Home School.

The Washington Asylum is the chief institution in the District for the care of its paupers, and for the confinement of minor offenders against the laws.

It embraces, at present, but two departments, the workhouse and the hospital, to which a third will be added on completion of the new workhouse, enabling the authorities to separate the prisoners from the mere paupers, who, for want of such special provision, have hitherto been huddled together promiscuously.

The reports of the commissioner of the asylum and of the intendant furnish a valuable history of the institution and a detailed account of its present condition and working.

We indorse the commissioner's commendation of the management of the asylum, which, in its hospital and other departments, is steadily advancing in its best features. With the enlarged accommodation now needed for the sick the hospital will take creditable rank as a city hospital.

The presidents of the relief commission and of the county almoners render full accounts of their disbursement of the twenty thousand dollars appropriated by Congress for the direct relief of the District poor last winter.

The president of the Industrial Home School presents an exhaustive report of the purposes and operations of that excellent institution, accompanying the report with plans for a much-needed new building, for the erection of which a Congressional appropriation of ten thousand dollars is asked, as necessary for the development of the school, and to insure its increased usefulness.

Whilst referring to these several reports for the more elaborate discussion of the subjects to which they respectively relate, we commend to the special attention of Congress the suggestion that there be appointed a board of charities, with supervisory power over this entire department of the public service.

As illustrating the need for such a board, we may note a few subjects referred to in the accompanying reports in connection with our public charitable and reformatory institutions, and which require closer study and more careful attention than would be bestowed upon them except by a board constituted for the special purpose of superintending this branch of the government in the District.

1st. There should be labor provided, so as to furnish constant occupation, where possible, not only for those under penal restraint, but also for paupers supported at the public expense. This should be at and about the premises, rather than on the public streets.

2d. There should be entire separation of mere children from adults in prison and almshouse, and a classification, according to age, should be established, for obvious reasons.

3d. There should be a change in the law, so as to lengthen the terms of confinement, for the better effect of discipline, and acquirement of habits of industry on the part of the young under sentence, except, perhaps, for first offense.

4th. A "woman's reformatory," with like classification as to age, as ably

advocated by the commissioner of the Washington Asylum, is a pressing necessity. An institution of that character, recently established at Indianapolis, has proved to be an eminent success.

For the discreet adoption of such measures as these, as well as for the greater unification of the charities of the District, we recommend the appointment of a board of charities. Such a board, wisely chosen from the ablest and best citizens, and of both sexes, could make this great subject of pauperism and charity a matter of careful study, availing themselves of every obtainable light of observation and experiment, at home and abroad, for their guidance and enlightened action.

The attention of Congress has been called by prominent citizens of the District, in a carefully prepared statement on the subject, to the importance of a permanent adjustment of the proportional expenses of the District government that should be borne by the United States, including the regular payment by the Secretary of the Treasury of the interest on the 3.65 bonds, so called, to be credited on the proportion of the District expenses provided for by Congress.

In our last annual report we referred to this subject, in connection with the recommendation of the joint committee of Congress to prepare a government for the District, in their bill for that purpose, which, failing to become a law, has been again submitted to the consideration of Congress.

We again call the attention of Congress to the principle involved. That principle is the duty of the United States to pay its just proportion of the District expenses, as well because of its interest as a property-holder in the District, as of the extraordinary and exceptional expenses incident to the maintenance of the District government in its several departments, inclusive of its heavy debt, incurred in the improvement of its avenues, streets, &c., all resulting, in large measure, from Washington being the capital of the nation. Until a fair adjustment of the proportional contribution by the United States to the support of the District be determined, the means of the District to maintain and make the improvements necessary to meet its wants, as the national capital, will be, as now, inadequate, and the ability of the District government to perform its functions satisfactorily will be seriously impaired. When to these considerations there is added the injustice to the property-holders in requiring them to pay, of these expenses, as they are now doing, through taxes, general and special, the proportion exacted from them, the justice of the United States making early provision for the permanent payment of its full proportion thereof, is too clear for argument. We hope that Congress will, during its present session, provide all the necessary legislation in the premises.

In our last annual report, we called the attention of Congress to certain legislation which we deemed important to the District, and again invite its consideration to some of the matters not acted upon, referring to our last report for further statements respecting them.

First. The abolishing of the board of sinking-fund commissioners, and the transfer of their duties to proper officers of the Treasury Department.

Second. The revision and amendment of the municipal ordinances of the District, consisting of the ordinances of the cities of Washington and Georgetown and the levy court of the county of Washington.

Third. The prohibiting of any subdivision of real estate on which due taxes are unpaid, or the entry of such subdivisions in the public records of the office of the surveyor until such taxes are paid.

Fourth. The conferring of proper authority upon the Commission-

ers, or their successors in office, and the making of suitable appropriations by Congress, in aid of the District resources, to enable the Commissioners to purchase sites and erect suitable buildings for the uses of the police and fire departments, and to sell properties now owned by the District held for such uses, but not suitable for them, such as the central guard-house and lot on Louisiana avenue, and the station-house corner of K and Ninth streets, and all other real estate owned by the District not needed for government purposes.

Fifth. The making of a new census in the District, especially in Washington, for the public interests generally, and especially those connected with the public schools. The last census of the District was taken in 1870.

In closing this report, we but discharge our duty in commending the interests of the District to the careful attention and kind treatment of Congress.

Very respectfully,

W. DENNISON,
S. L. PHELPS,
THOMAS B. BRYAN,
Commissioners District of Columbia.

A.—REPORT OF THE SECRETARY.

OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
Washington, November 1, 1877.

GENTLEMEN: I have the honor to submit the following copy of orders passed by you since the date of your last annual report.

Respectfully,

WILLIAM TINDALL,
Secretary.

COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
Washington, January 1, 1877.

Whereas the act of Congress, approved February 21, 1871, creating a government for the District of Columbia, prescribed among the duties of the board of public works that they should make all necessary regulations respecting the construction of private buildings in the District of Columbia, subject to the supervision of the legislative assembly:

And whereas said legislative assembly and said board of public works have since been abolished by act of Congress;

And whereas the powers of said board of public works have been transferred by law to these Commissioners, with certain other powers in the statutes, limited: It is therefore

Ordered, That the following rules or regulations be in force from and after this date, subject to the supervision of the Congress of the United States.

W. DENNISON,
J. H. KETCHAM,
S. L. PHELPS,
Commissioners District of Columbia.

BUILDING REGULATIONS OF THE DISTRICT OF COLUMBIA.

SECTION 1. These building regulations shall be in force in the District of Columbia from and after the 1st day of January, 1877; and all walls, structures, and buildings, or parts thereof, except bridges, quays, wharves, or buildings belonging to the Government of the United States within said District, shall be built, altered, or repaired, in conformity therewith; but any privilege obtained under them shall be held subject to the right of the Government of the United States or the District of Columbia to modify or abrogate it whenever the public interest shall so require.

SEC. 2. The technical terms used in these regulations shall have the significations given them respectively in this section, as follows:

Building-limits.—The limits of the District of Columbia.

Fire-limits.—All that portion of the District of Columbia known as the city of Washington; and that portion of the city of Georgetown bounded on the north by Road and Eighth streets, on the west by the boundary-line of the city of Georgetown, on the south by the Potomac River, and on the east by the city of Washington, within which it shall not be lawful to erect, construct, enlarge, alter, repair, or remove any wooden building, except as hereinafter prescribed.

Cellar.—That portion of a building below the first floor or joist, if partially or entirely below the level of the adjoining parking, street, or ground, and not suitable for habitation.

Basement.—A story partially below the level of the adjoining street, and below the first floor or joist, suitable for habitation.

Foundation-wall.—That portion of any exterior wall below the level of the adjoining earth or pavement; and that portion of any partition or party-wall below the level of the basement or cellar floor.

External wall.—Every outer wall or vertical inclosure of a building, other than a party-wall.

Party-wall.—Every wall used or built as a separation of two buildings.

Partition-wall.—Every interior wall of non-combustible material in a building.

Partition.—Any interior division constructed of iron, glass, wood, lath and plaster, or any combination of these materials.

First-story.—The story the floor of which is on or first above the level of the sidewalk or adjoining ground. The other stories shall be numbered in regular succession counting upward.

Attic story.—A story situated either in whole or in part in the roof.

Mansard-roof.—A roof formed with an upper and under set of rafters, the upper set more nearly horizontal than the lower set.

Wooden building.—Any building of which any external or party-wall is wholly or partly constructed of wood.

Tower-projection.—Any projection for ornamental door-entrance, or right-angled projection designed exclusively for ornamental windows, or for buttresses.

Show-window.—Any store-window in which goods are displayed for sale.

Bay-window.—Any projection for a window other than a tower-projection or show-window.

Tenement-house.—Any building or portion thereof which is occupied or is intended for occupation as the residence of more than three families, living independently of one another, and doing their cooking upon the premises.

Lodging-house.—Any building or portion thereof in which persons are lodged for hire for less than a week at one time.

Shed.—A structure any side of which is entirely or mainly open.

Building owner.—The owner of premises on which work is being done.

Adjoining owner.—The owner of premises adjoining those on which work is being done.

SEC. 3. The executive authority of the District of Columbia shall appoint an inspector of buildings for said District, who shall be an architect, and shall have been engaged in business as such for at least seven years.

The inspector of buildings shall, before he enters upon the duties of his office, take and subscribe an oath or affirmation, before an officer duly qualified to administer the same, that he will faithfully perform the duties of his office, and that he has been engaged in business as an architect for seven years. Said oath or affirmation shall be filed in the office of the executive authority of the District of Columbia.

He shall, also, before entering upon the duties of his office, execute a bond to the District of Columbia, in the sum of ten thousand dollars, with three sureties, to be approved by the executive authority of said District, conditioned for the faithful performance of the duties of said office, which shall be for the benefit of all parties aggrieved by his acts or neglect, and shall be filed with his oath.

He shall have for his services a salary of three thousand dollars per annum. He shall, under supervision of the executive authority, be charged with the survey and inspection of buildings and the enforcement of these regulations, and with such other duties in respect thereto as the executive authority of the District may from time to time assign to him; and while holding this office, he shall not engage or be interested in the business of an architect or builder in said District, except in special cases, and then only in accordance with permission in writing given by said executive authority, and specifying in each case the extent and nature of such engagement or interest.

It shall be his duty to sign and issue all permits, certificates, and notices under these regulations; to keep on file all applications and notices received; to keep the record of all violations of these regulations, and all matters relative thereto, and report them, when necessary, to the executive authority of the District; to keep blanks for permits, certificates, notices, applications, and complaints; to make an annual report of the operations of his office, and such other reports as may be required, to the executive authority of the District of Columbia.

He shall examine all buildings in course of erection, alteration, or repair as often as necessary; shall see that the work be done in accordance with the requirements of these regulations; that the materials be suitable for the purpose, and that the work be done in a substantial manner, and is of sufficient strength and solidity to answer the purpose for which it shall have been designed.

He shall examine any building supposed or reported to be in a dangerous or defective condition, and make a record of such examination; of the location of the building; the purposes for which it is used, and the names of the owner and lessee.

If, after examination, he shall deem any structure or building dangerous to the occupants or others in life or limb, he shall serve upon the premises a notice requiring a vacation of said structure or building, and also serve, or cause to be served, a notice in writing upon the owner, agent, or any party having interest in the said structure, requiring the same to be made safe and secure, or removed, as he may deem necessary. But, upon depositing fifteen dollars to cover fees of examining commission in case the decision shall be adverse to the appellant, the interested

parties may appeal within forty-eight hours, in writing, to the executive authority of the District, who shall appoint a commission of two disinterested and competent builders and one architect, residents of the District, (who shall be paid for their services as such the sum of five dollars each, upon the certificate of the inspector), to determine the question at issue. In case of a decision adverse to the appellant, and the refusal or neglect of the owner, or other interested party, to comply therewith, the inspector of buildings may cause such unsafe or dangerous structure to be taken down, or made safe, and the cost and charges shall become a lien upon said estate, to be collected according to law, as a debt due to the District of Columbia.

He shall, after examination, serve a written notice upon the owner, agent, or other party interested in any building regarded by him as defective, setting forth in detail the necessary repairs; and if the owner or owners, agent or agents, or other parties interested, shall refuse or neglect to have the repairs as stated made, or shall not have actually commenced to make the same within thirty days from the date of notice thereof, then the occupant or occupants of such building shall not be liable for the payment of rent until said repairs shall have been made, and a certificate to that effect furnished by the inspector of buildings.

He shall examine any building when application shall be made for a permit to raise, enlarge, alter, or build upon it, and make a record of its condition.

He shall examine whether any building conforms to law, and give a certificate of its condition, upon a written application therefor.

He shall have supervision of the erection of *all* heating apparatus.

He shall make investigation in all cases of fire, and report respecting the probable origin thereof.

He shall examine and approve the plans of any house, building, or portion thereof intended to be used, occupied, rented, or leased as a hotel, tenement, or lodging house, before issuing a permit therefor.

He shall carefully examine the plans and specifications of any building to be used in whole or part for public assemblies, and ascertain that they conform to the requirements of these regulations before giving a permit for the erection of such building, and shall file a copy of said plans and specifications in his office.

He shall, whenever he may deem necessary, serve written or printed notice on the owner, lessee, or manager of any such building or part of building already erected or hereafter built, directing any act or thing to be done in or about the arrangements thereof, and the appliances connected therewith, so as to afford the greatest possible security to the public, and good ventilation, subject to appeal and determination by a commission appointed as in the matter of dangerous and defective structures.

He shall inspect every dwelling-house now erected in the cities of Washington and Georgetown occupied by two or more families on any of the floors above the second floor from the level of the street, and any building now erected and occupied as a hotel, boarding or lodging house, factory, mill or manufactory, or for offices or workshops in which persons are employed in any of the stories above the second story; and if in his opinion such building is not provided with proper facilities for the escape of persons in case of fire, he shall immediately serve a notice in writing upon the owner or owners, agent or agents, or other party or parties having an interest in said building, requiring the necessary additional facilities to be provided without delay. Said notice, also, shall be subject to appeal and determination by a commission appointed as in

the matter of dangerous and defective structures, which shall specify the requisite changes or alterations, if any, to be made.

He may require the submission of plans and specifications of proposed improvements with the application for permit therefor.

He shall have full power to require the *intent* of these regulations to be observed in all matters affecting structures not specifically set forth herein; but he shall have no discretionary power to modify any of these regulations.

SEC. 4. The executive authority of the District may appoint deputy inspectors of buildings, who shall, whenever directed by said executive authority, perform any or all the duties of the office of inspector of buildings.

SEC. 5. The inspector of buildings and deputy inspectors of buildings shall, as far as may be necessary for the performance of their duties, have the right to enter any building or premises within the aforesaid building limits upon showing their badge of office; and any person who shall interfere with them in the performance of such duties shall be liable to a fine of not less than ten nor more than forty dollars for each such offense.

SEC. 6. No building or other structure, awning, sign, engine, steam-boiler, furnace, heater, range, bay-window, show-window, tower, or other projection shall be erected, nor any area, vault, cellar, basement, or excavation appurtenant to a building or other structure be made, nor alteration allowed in any such improvement, unless a permit for such alteration or improvement shall have been issued.

SEC. 7. Every excavation for a cellar, vault, area, or other purpose upon or adjoining any lot shall be protected by an inclosed bridge or tight fence.

Every cellar or basement of a dwelling shall have a bed of concrete not less than two inches thick spread over the entire bottom, or shall be paved with brick laid in cement.

Every building hereafter erected without cellar or basement shall have in the walls below floor level, in front and rear, not less than four ventilators, each not less than five by twelve inches.

SEC. 8. The foundation-walls of every building or other structure must rest upon the solid ground, concrete, piles, planks, or other solid substructure, be built of brick, stone, or other hard and incombustible material, and of dimensions as set forth in the following section. Rear, party, or division walls between two or more houses or structures shall not be erected or constructed upon wooden supports. The foundations of all walls hereafter erected shall be laid not less than five feet below the established grade of the street at building-line, and in no case above the curb-level—the inspector of buildings to determine the measurement—and in case of the removal of any terrace the walls shall be underpinned, so far as necessary in the opinion of the inspector of buildings.

Cellar or basement walls of buildings erected within reach of tide-water shall be built up to the level of spring-tides, in cement-mortar, and of a thickness to be determined in each case by the inspector of buildings, and the ground-floors shall be laid water-tight, and in such manner as may be directed by said inspector.

SEC. 9. The walls of every building or other structure, with the exceptions hereinafter mentioned, shall be built of brick, stone, iron, or other hard and incombustible material. Every wall constructed of brick, stone, or other similar substance shall be properly bonded and solidly built with lime or cement mortar. External walls faced with

stone shall have a backing of hard brick-work laid in cement-mortar. The stone facing of a wall shall in every case be securely tied to the brick backing thereof by suitable iron clamps. Every fifth course of brick facing must be securely bonded by headers.

The thickness of the walls of any building hereafter erected, or altered in height, shall be as follows, to wit: In any building not more than thirty-five feet high, and twenty-five feet or less in width, the cellar or foundation walls shall be not less than thirteen inches in thickness to the height of the first floor of joists, and thence the external and party walls not less than nine inches; for any building not exceeding thirty-five feet in height, but exceeding twenty-five feet in width, the external and party walls shall be not less than thirteen inches thick to the square thereof; in any building exceeding thirty feet but not exceeding forty-five feet in height, the cellar or foundation walls shall not be less than eighteen inches in thickness, and the front and party walls of stories above not less than thirteen inches in thickness; in any building exceeding forty-five but not exceeding fifty-five feet in height, the foundation or cellar walls shall be not less than eighteen inches in thickness, the party walls not less than thirteen inches, and the front walls not less than eighteen inches to the height of the first story, and thirteen inches for the remainder of the height. The walls of any sub-cellars shall be not less than eighteen inches thick. Whenever any builder, owner, or contractor may construct or erect any building to a greater height than above specified, or for other purposes than a dwelling, the increased thickness of the walls shall be determined by the inspector of buildings; but, in any case where the proposed building is to be used for a store-house, or similar purpose, the party or division walls shall not be less than thirteen inches for the full height thereof. The bottom course for foundation-wall resting upon the ground shall be at least nine inches wider than the thickness of the wall.

If any walls are laid with irregular rubble-work, the thickness shall be one-fourth greater than required in other cases. Thin ashlar facing shall not be counted in determining the thickness of walls. In any building hereafter erected on a street corner for the storage of heavy weights, the bearing-wall, that is, the wall upon which the beams rest, shall be four inches thicker than is otherwise prescribed in these regulations.

The inclosing walls of a building must be brought up as nearly simultaneously as possible, and in no case shall the work on the side walls be ahead of the work on the front wall more than the height of one story.

Side, end, and party walls shall be anchored at each tier of beams, at intervals of not more than ten feet, with good, strong wrought-iron anchors, one-half inch by one inch, well secured into side walls and well fastened to the side of the beams by not less than two wrought-iron nails at least one-fourth of an inch in diameter, so as to form continuous ties across the building on each floor.

Party-walls shall be brought up through the roof covering, and shall be built up at least six inches above the flat of the roof of the highest building of which such wall forms a part for the full extent of the flat, and shall be covered by brick laid on slate, or by a coping of stone or metal, and so as effectually to prevent the connection of the roofing of any two or more houses or buildings.

Party-walls in adjoining buildings hereafter erected shall be constructed so that the floor-timbers from opposite sides of said walls shall have at least four inches bearing therein, and be separated by not less than four inches of solid brick-work.

No recess of any kind shall be made in any nine-inch party-wall for any purpose whatever, nor shall any party-wall be cut into more than four and one-half inches, unless the same shall be more than fourteen inches thick, nor shall the same be recessed continuously for any purpose whatever, more than four and one-half inches.

The fourth section of the building regulations No. 1, approved by President Washington, October 17, 1791, is recognized as in force, and is as follows:

"That the person or persons appointed by the commissioners to superintend the buildings may enter on the land of any person to set out the foundation and regulate the walls to be built between party and party, as to the breadth and thickness thereof; which foundation shall be laid equally upon the lands of the persons between whom such party-walls are to be built, and shall be of the breadth and thickness determined by such person proper; and the first builder shall be reimbursed one moiety of the charge of such party-wall, or so much thereof as the next builder shall have occasion to make use of, before such next builder shall any ways use or break into the wall. The charge of value thereof to be set by the person or persons so appointed by the commissioners."

Provided, That the maximum thickness laid upon the adjoining lot shall be nine inches in the cellar, and that the set-off shall be equal on both sides; and in all cases where a building is erected singly, and a party-wall is constructed, the party line shall be carefully preserved by receding four and one-half inches from the front with that portion that extends over that line.

The building owner shall pay for one-half of an existing party-wall, or for so much thereof as he shall use, whether said wall be cut or not, and the quantity or measurement of wall so used shall be computed by the inspector of buildings, unless the parties in interest agree upon some other person or persons for such purpose. The indemnity to the adjoining owner shall be paid by the building owner, previous to cutting or in any manner using said wall, at the then current price for similar work. The measuring fee shall be paid as hereinafter prescribed, and shall be paid in equal proportions by both parties, to the persons selected.

The inspector of buildings shall, upon the application of any building owner or his authorized agent, examine any or all existing party or division walls, and if deemed by said inspector to be defective, out of repair, or otherwise unfit for the purpose of new buildings about to be erected, such party or division walls shall be made good, repaired, or taken down by the building owner as the decision may be; the cost and expense of such repair or removal, together with the expense of the new wall or walls to be erected in lieu thereof, shall be borne and paid exclusively by him; and he shall also make good all damages occasioned thereby to the adjoining owner or his premises: *Provided*, That these regulations shall not be construed to justify the owner in encroaching upon the premises of the adjoining owner beyond the party-wall already built, or, in the case where no party-wall has been built, more than nine inches, without having first obtained the written consent of the adjoining owner of the premises to be encroached upon. But if in such case the building owner prefers to build an independent new wall of his own by the side of the old party-wall, he shall be relieved from reimbursing the adjoining owner for former outlay in building the party-wall; the thickness of new wall to be determined by the inspector of buildings in each and every case consistent with these regulations.

Buildings hereafter erected or increased in height, except churches,

shall not exceed a greater height than seventy-five feet to the square, except the additional height shall be constructed in a fire-proof manner, as herein named; to wit, all joists, beams, rafters, purlines, jack-rafters, plates, studs, ties, and arches shall be made of cast or wrought iron, or some other metal, stone, brick, cement, mortar or other incombustible material, and covered with corrugated iron, sheet or cast iron, tin, copper, zinc, or other metal, or slate, stone, brick, cement, mortar, or other incombustible material.

The height of all walls shall be computed from the curb-level. No room intended for human habitation or sleeping shall have less than eight feet clear height.

SEC. 10. Chimneys shall be built of brick, stone, or other fire-proof, non-conducting material, and in no case shall a chimney rest upon a flooring without a footing of masonry or iron, supported by iron bars having a secure bearing on masonry or iron at either end. Brick flues, without reference to the purpose for which they may have been originally intended to be used, shall be smoothly plastered inside with good parging mortar, and on the outside between the ceiling-joists and rafters. Brick flues, not starting from the foundation-walls, shall be securely built into the brick-work of the walls to which they are hung, and shall be supported by courses of brick, corbeled out from the main wall by successive projection. Where the breast of a chimney projects more than nine inches it shall be started and built on the same line from the foundation, or where this is impracticable, it shall be secured in such manner as shall be determined by the inspector of buildings.

All flues shall be topped out at least four feet above the roof of the building or buildings to which they belong or adjoin, and all brick flues shall be smoothly plastered inside with mortar from top to bottom, and outside between the roofing and ceiling joists. The brick topping out of chimneys and flues shall not have more than four inches projection, unless covered by a cap of stone or iron properly secured. Hearths, fire-places, or grates shall be laid upon trimmer arches of brick, the centering of which must be struck by bricklayers on completion of the arch, or upon bars of iron supporting a bed of two courses of brick-work. No wooden joists, rafters, beams, girders, or other wood whatever shall be built into any chimney or flue; nor shall they, or wood-work of any kind, be placed at a less distance than two inches from the outside of the brick-work of any flue, nor shall any flue be built in any party or division wall, unless the back of such flue be nine inches thick. In no case shall a nail be driven into the masonry of any flue, nor shall any base, flooring, or roofing, or any other wood-work be placed against any flue, unless such flue be well plastered externally with proper material.

Metal flues or pipes of a single thickness, intended to convey heated air in any building hereafter to be altered or erected, shall have a thickness of not less than one inch of plaster paris, or other non-conducting material, between them and any timber or wood-work adjoining the frame, or the pipes shall be doubled—that is, one inside another, at least one inch apart—and the space between them filled with non-conducting and non-combustible material, unless built in stone or brick walls.

All flues for ranges, boilers, furnaces, and ovens shall be of brick or metal, to a height of at least twenty feet, and they shall be otherwise constructed as the inspector of buildings may determine in each case, not inconsistent with these regulations.

No smoke-pipe in any building having wooden or combustible floors or ceilings shall enter any flue unless it shall be at least twelve inches

from either the floor or ceilings. Pipes passing through stud or wooden partitions shall be guarded by a double collar of metal, giving at least two inches of air-space, having holes for ventilation, or by other device equally secure, which shall be approved by the inspector of buildings. In any case where a furnace or boiler of any kind is used, the smoke-pipe must be placed at least two feet below beams or ceilings, unless said beams or ceilings are properly protected by shields or tin plates suspended above said smoke pipe, with a sufficient space for the free circulation of air above and below said shield. The smoke-pipe shall in every case be at least eight inches from the beams and ceilings. The top of any furnace set in brick must be covered with brick, slate, or tin plate supported by iron bars, and so constructed as to be perfectly tight; said covering to be in addition to, and not less than six inches from, the ordinary covering to the hot-air chamber. If there is not height enough to build a furnace-top at least four inches below the floors, beams, or ceilings, the floor-beams must be trimmed around the furnace, and the covering, trimmers, and headers must be at least four inches from them. The top of any portable furnace, not set in brick, shall be at least one foot below the beams or ceilings, and shall have a shield of tin plate, made tight, suspended at least two inches below said beam or ceiling, and extending one foot beyond the top of the furnace on all sides.

Hot-air registers hereafter placed in the floor of any building shall have air-spaces extending all around their register-boxes, guarded by tin on the outside.

SEC. 11. Openings for doors and windows, except as otherwise herein provided, shall each have a good and sufficient arch of stone or brick, well built and keyed, with good and sufficient abutments, or lintels of stone or iron; and over wooden lintels, without regard to width, arches shall be turned. Over openings in which the lintel shall be less than the thickness of the wall to be supported, there shall be good timber lintels on the inside of the other lintels, which shall rest at each end not more than four inches on any wall, and shall have arches turned over the timber lintels.

No dwelling shall be constructed or allowed having windows on one side only. No bay-window which shall extend more than three feet above the second floor from the street shall be constructed of wood.

SEC. 12. Openings of more than ten feet in width upon which walls rest shall be covered with iron beams or girders, which, if cast, shall have wrought-iron tie-rods of sufficient strength well fastened at the ends of the beams or girders. All such beams shall have cast-iron shoes on the upper side to answer for the skew-back of a brick or cut-stone arch, which shall always be turned over the beams, and the arch shall in no case be less than twelve inches in height and of the width of the wall to be supported. Cut-stone or hard-brick arches may be turned over any opening less than thirty feet wide, provided they have skew-backs of cut stone or cast or wrought iron, with which two wrought-iron bars or tension-rods of sufficient strength shall be properly secured. In cases where the abutments of an arch are not of sufficient size to resist its thrust, the rise of the arch shall be determined by the inspector of buildings. All lintels of stone fronts returned over a corner opening shall be of iron of the full breadth of the wall to be supported, and shall be made safe, as above detailed. Any support at the corner shall be of brick, cut stone, or iron; and, if of iron, it shall be in the shape of a double column; that is, an outer and inner column; the inner column shall be of sufficient strength to sustain safely the whole weight, and the outer column shall be made of sufficient size to allow a space of at least

one inch between it and the inner column, which shall be solidly filled with plaster-of-Paris or other non-conducting material equally secure.

All floor-timbers shall extend from wall to wall, except where brick partitions intervene; and ends of beams, rafters, and joists entering brick walls shall have a bearing of at least three and one-half inches therein, and shall be cut on a splay of three inches in their width. Wells for stair or other openings shall be framed.

Notice of intention to cut a doorway through any party-wall separating buildings, shall be filed with the inspector of buildings, who shall decide what safeguards are necessary for closing said doorway when not used.

SEC. 13. Every building or addition hereafter erected shall be roofed with non-combustible material. Every roof of combustible material which shall become impaired to one-third of its original value shall be replaced by the owners with non-combustible material. Each roof shall have a scuttle, not less than two feet by three feet, with a step-ladder or flight of steps leading thereto. No mansard or other roof shall be constructed more than one story in height, nor more than twenty feet in height from the upper floor of the building upon which it is placed to the highest part of said roof, unless the same be constructed of fire-proof material throughout. Mansard-roofs may be constructed without any additional thickness of walls, and topped out with nine-inch walls.

Cornices or roof decorations on any building hereafter erected to a height of more than sixty feet to the eaves, shall be made of non-combustible materials, to be approved by the inspector of buildings. All fire-proof cornices shall be well secured to the walls with iron anchors, independent of any wood-work; and in all cases the walls shall be carried up to the planking of the roof, and where the cornice projects above the roof the wall shall be carried up to the top of the cornice; and all exterior wooden cornices on buildings as above described when replaced shall be constructed of some non-combustible material, as required for new buildings. All exterior wooden cornices or gutters hereafter damaged by fire shall be taken down, and, if replaced, shall be constructed of fire-proof materials.

SEC. 14. Buildings hereafter erected shall be kept provided with proper metallic down-spouts for conducting the water from the roof to the ground, sewer, or street-gutter, in such manner as shall protect the walls and foundations from damage; and in no case shall the water from the said down-spouts be allowed to flow upon the sidewalk, but shall be conducted by drain-pipe or pipes to the sewer, or to the gutter, where no sewer exists.

Buildings hereafter erected shall have brick, iron, or tile drains, with air-tight joints, laid with a regular fall to the public sewer, and properly entered therein.

All water-closets, wash-trays, wash-basins, sinks, urinals, &c., must be trapped, each with its own proper trap, and every house-sewer shall have a running trap, of the dimensions of the sewer, between the building-line and the main sewer, or, where this is impracticable, the trap shall be placed inside the building-line, and shall have a manhole. A ventilating-shaft of not less than two-inch iron pipe, with tight joints, connecting with the house-drain inside of the trap and projecting above the roof, shall be constructed in the front wall of every house, or the house-drain may be connected with a shaft or flue not less than three inches in diameter, constructed for ventilating purposes.

The soil-pipe shall, in every case, be carried above the roof of the building at least four feet, and shall be provided at the top with an eject-

ing ventilator; or, it may be connected with any chimney-flue which serves a fire that is continuously maintained, as that of the kitchen range.

The down-spouts must be connected with the house-drain, and, if constructed with tight joints, may be used as ventilating-shafts.

In every case where a sewer-connection is made below the level of spring tides, or with a sewer which is liable to back water into the house-connection, the house-drain must be provided with a self-acting flood-gate, made of some material not perishable.

SEC. 15. Vaults shall be securely covered with substantial flagging, or arched with hard brick. The crown of the arch shall be at least six inches below the established surface of the footway; and any openings in the top of the vault shall be at the inner edge of the extreme wall, and have a suitable covering placed thereon; no iron grate or other fixture shall project above or be sunk below the established grade of the pavement, and the outer wall of the vault must be at least four feet within the inner line of the curb.

No vault shall be constructed so as to interfere with any sewer, water-pipe, manhole, gas-pipe, tree, or other public work or improvement.

SEC. 16. Every building shall be provided with at least one water-closet, or with an outhouse for privy purposes.

SEC. 17. Areas must be protected by iron or stone railing, at least forty-two inches in height, and, when they extend the entire width of any lot frontage, shall be protected by said railing with openings or gates four feet wide.

Proper protection, by hand-rails, shall be provided where steps are built over areas, or where steps exceed four in number, and for all platforms where areas exist. Basement and cellar steps shall be protected by railing like that required for areas, with four feet openings or gates.

SEC. 18. Wooden buildings may be erected in that portion of the District of Columbia, outside of the cities of Washington and Georgetown, and that portion of Georgetown not included in the fire limits, provided that on lands laid out in town lots no wooden building shall be erected or placed within twenty-four feet of any house built of brick or other incombustible material, when such wooden building intended for occupation as a blacksmith's or whitesmith's shop, carpenter's shop, factory, livery stable, or as a stable not used for domestic purposes, and no such wooden building shall be erected within fifty feet of any stone or brick house; unless the written permission of the owners of all property to the distance of fifty feet on either side be first obtained, and then it shall not be less than thirty feet from such house.

It shall be lawful for the owner or other party interested, after having obtained a permit from the inspector of buildings, to make any necessary repairs consistent with these regulations, upon any wooden or frame building already built, provided that the height of said building to the eaves shall not be increased thereby. A flat roof covered with metal or other non-combustible material may be substituted for a gravel or pitch roof. Wooden buildings, sheds, or shops which are temporary in their construction and dilapidated in their character, shall not be repaired, but shall be taken down.

(For amendment about enlarging frame-buildings, see order of May 24, 1877.)

It shall not be lawful to erect, construct, enlarge, or remove any wooden building within the fire-limits; but such may be moved to any point outside of the fire-limits if not located in violation of any section of these regulations. And for satisfactory reasons, permits approved by the executive authority of the District, may be given to move wooden buildings from one place to another within the fire-limits; but in every

case a deposit shall be made, not to exceed two hundred dollars, the amount to be determined by the inspector of buildings, to secure public and private property from damage arising from such removal. The amount so deposited shall be returned to the depositor as soon as the inspector of buildings ascertains that no damage has been sustained; but if, in the opinion of the inspector of buildings, any damage has been done, it shall be made good out of the deposit, and the balance, if any, shall be returned to the owner.

No wooden building hereafter erected shall exceed the height of two stories and mansard roof, or three stories to the square thereof.

No wooden building to be used for dwelling purposes shall be erected more than fifty feet long without the intervention of a brick partition-wall at least nine inches in thickness, and said wall shall be carried at least six inches above the roof, whether said roof be flat or pitched.

No wooden building, to be used for the purposes of any mechanical business, shall be built at a less distance than twenty-four feet from any dwelling, and such building shall be subject in construction to such restrictions as the inspector of buildings shall designate in the permit; and no wooden buildings now erected shall be used for mechanical purposes unless the same shall be at a greater distance than ten feet from any dwelling-house.

All wooden buildings shall be built upon brick or stone foundations.

(For amendment in relation to sheds, see order of November 14, 1877.)

Temporary wooden sheds may be erected for use of builders, but only in front of or upon the lot on which the building is being erected, and for storage or other purposes upon wharves, in such manner as the inspector of buildings may direct, consistently with these regulations. Frame-structures not to exceed eight feet square and two stories in height, to be used as bath-rooms, butlers' closets, piazzas, platforms, or balconies not more than six feet in depth, and bay or oriel windows not more than one story in height, may be erected in the rear of any brick or other structure built of non-combustible materials, now erected or to be hereafter erected. Sheds for fuel or water-closets, and for no other purpose, not to exceed eleven feet in height at the highest point thereof, and not to extend in width more than two-thirds of the width of the lot, and not to exceed twelve feet in depth, may be erected on the rear of lots.

SEC. 19. Any wooden building already constructed within the fire-limits, which may hereafter be damaged, may be repaired at a cost not exceeding one-half its value, exclusive of the value of its foundation: *Provided*, the building was a good, sound one previous to said damage; but if the damage shall amount to more than one-half the value, then the building shall be taken down. The inspector of buildings shall determine the amount and extent of such damage.

SEC. 20. Depositories for ashes shall be built of brick or other fire-proof material.

SEC. 21. No livery stable shall be erected, nor shall any building already erected, be converted to the uses of a livery stable, within thirty feet of the building-line of any street or avenue, nor within fifty feet of any dwelling-house fronting on any street or avenue; and permit for any such building shall not be issued until the applicant shall first exhibit a license for the keeping of a livery stable on such premises. And it shall be the duty of the proprietor or proprietors of every licensed livery stable, within the cities of Washington and Georgetown, to have the carriage-drive in front of said stable used for the purpose of entrance to it, paved with brick on edge or other approved material. Nothing in

this shall be construed to debar the erection of a stable for private or domestic purposes only, under such restrictions as the inspector of buildings may impose, with the approval of the executive authority of the District.

SEC. 22. Within the fire-limits it shall not be lawful to erect any building for, nor to convert any existing building to, the uses of a cow or hog yard, pen or stable, or for dairy or other similar purposes. Nothing in this section shall apply where one cow only is kept for family use.

SEC. 23. Projections from the building lines of any street in the city of Washington, of ninety feet or less in width, shall not exceed the following distances: areas, six feet; show-windows, thirty-two inches; bay-windows five feet on parked streets, and four feet on unparked streets; steps, eleven feet on parked streets, and nine feet on unparked streets; tower-projections, forty-two inches on parked streets, and thirty-six inches on unparked streets. Projections from the building line of any avenue or street in the city of Washington over ninety feet in width, shall not exceed the following distances: Areas or cellar steps, six and one-half feet; show-windows, thirty-six inches; steps, eleven feet; bay-windows, five feet; tower-projections, forty-two inches on parked streets and thirty-six inches on unparked streets; areas not to exceed eighteen inches in width from bay-windows may be made around them where the windows are built from the foundation.

Carriage steps shall not exceed in dimensions three and one-half feet by twenty inches, and in no case shall they extend beyond the inner line of the curb.

None of the projections heretofore mentioned in this section shall be allowed on Pennsylvania avenue west of the Capitol, except show-windows and areas; and colonnades thereon shall not project more than six feet from the building when their erection is permitted.

Tower-projections not exceeding thirty-six inches may be constructed upon all corners made by lettered streets intersecting Pennsylvania avenue, between Pennsylvania avenue and Washington Circle; and upon all other corners, where parked streets intersect avenues, or where avenues intersect avenues; tower or bay-window projections may be constructed in such manner as may be determined by the inspector of buildings, and approved in writing by the executive authority of the District; but in no case shall bay-windows or tower-projections be more than fourteen feet wide from out to out.

Structures or projections above or outside of the roof, such as domes, cupolas, pavilions, towers, spires, pinnacles, buttresses, lanterns, louvres, lutheran or dormer windows, sky-lights, scuttles, ventilators, cornices and gutters shall be made with cast or wrought iron, tin, copper, zinc, or other metal, or stone, slate, brick, cement or mortar, or other incombustible material.

Twelve feet of sidewalk shall remain free from obstruction in the cities of Washington and Georgetown, unless the executive authority of the District shall otherwise permit; but in streets less than eighty feet wide the width of the sidewalk shall be, as far as practicable, uniform, and shall be determined by the engineer in charge of public works, with the approval of the executive authority of the District.

In no case shall a wall terminating at a street or alley project beyond the line of said street or alley, except for ornamental projections, as hereinbefore provided. Where such projections are allowed none shall be made unless the line of front parallel with street or alley be preserved by at least the length of one brick from the party line on the side of the house on which the private door is located and by at least the

length of three bricks on each side of bay window, tower or other projections, excepting where continuous rows of buildings are erected, in which case an equivalent in spaces of parallel surface to each house, if approved by the inspector of buildings, may be laid to suit the taste of the owner or builder. Where buildings are designed for store or business purposes, projections shall not be less than twelve inches from the party line. No projection not mentioned herein shall be allowed to be made, except with the special approval in writing of the executive authority of the District of Columbia.

SEC. 24. No sign shall be built, erected or hung upon the roof or in front of any building in the cities of Washington and Georgetown to project more than three feet six inches beyond the building line; nor shall any box, board, or other sign or frame of any kind of sign or for a sign, be set up around or against any tree, lamp-post or other post, pole or other object in said cities; and any sign now erected, or that may be erected, on the top of, or on the street front of, any building, shall be taken down and removed when rotten or unsafe.

SEC. 25. Awning posts and frames shall be of iron; the posts shall be set in stone or iron blocks not less than six inches within the outer edge of the curb, and the frames must be firmly secured to the building. No part of the frame or canvas of an awning shall be at a less height than eight feet from the sidewalk.

SEC. 26. Persons engaged in the erection, alteration or repair of any building may, for such reasonable period as the inspector of buildings shall decide, occupy with the building material of such building one-half the carriageway in front of the lots on which such work is being done, and so much of the footwalk as will leave and keep clear at least six feet thereof from the curb line. They may also occupy one-half the roadway fronting twenty feet on adjoining lots, when the inspector of buildings shall consider it necessary, the material to be placed and arranged as that officer may direct. All materials and rubbish shall be removed by the contractor or owner of the property whenever so directed by the inspector of buildings. No gutter shall be obstructed, except by temporary damming for collecting water for building purposes, when there are no other available means therefor, under such conditions as the inspector of buildings may prescribe. Nothing in this section shall be construed so that free passage of wagons, carts, drays or other conveyances may be obstructed or impeded.

SEC. 27. No foundery or furnace for melting or working glass, iron, or other metal; machine-shops for machinery to be driven by steam or other motive power; steam-boilers or engines propelled by steam or other motive power, or any building therefor, shall hereafter be erected for use within the fire limits, unless the written assent thereto of all the property-owners within ninety feet of the outline of the buildings proposed to be erected therefor be first obtained; nor shall any such building be erected within thirty feet of any dwelling-house. All boiler-rooms hereafter constructed in any building under this section shall be constructed of brick and iron, and shall be so arranged that all openings between them and other parts of the building shall be closed by iron or metal-covered doors, which shall be securely closed at the close of each day.

Engines and boilers for driving machinery for grinding coffee, spices, or for other similar purposes in stores, or for elevators in hotels, stores, and warehouses, or for heating purposes may be permitted, under such restrictions as the inspector of buildings may direct in each case, upon the notice in writing by the owner or agent intending to set up such

boiler or engine to the inspector of buildings, fully describing said boiler or engine and the use for which it is intended, but not until a special permit shall have been obtained.

No building to be used for a saw or grist mill, blacksmith or whitesmith shop, or shop for the working of wood or other combustible material, rag warehouse or shop or building for the storage of materials of an inflammable nature, shall be erected within thirty feet of any dwelling, nor shall any building be converted to such uses within thirty feet of any dwelling-house.

SEC. 28. The lessee, owner, or occupant of any warehouse, store, manufactory, or other building in which there are hoistways or other openings besides the usual stairways, shall cause the same to be securely protected by railings, or such other appliances as may be deemed necessary by the inspector of buildings.

SEC. 29. All partition or party fences shall be kept in good and sufficient repair by the proprietors of the ground on either side, at their joint expense: *Provided*, The ground on each side shall be inclosed, used, or occupied; and if any person whose duty it shall be to make and keep in good repair any fence, or part of a fence, shall refuse or neglect to do so for five days after request being made by the other party interested, or his agent, then it shall be lawful for the party so making the request, as aforesaid, to make or repair the whole fence or part of a fence, and to recover one-half of the expense thereof from the person so refusing or neglecting: *Provided also*, That no fence erected under the authority of these regulations shall be less than five nor more than seven feet in height, except by consent of the parties interested on both sides of such fence, and the expense of making such fence shall not exceed the market value of a plain, substantial board structure of the kind.

SEC. 30. If any person shall inclose ground adjoining that already inclosed, and shall thereby be benefited by any fence before erected, the person so benefited shall pay therefor a just and reasonable compensation, regard being had to the condition of the fence at the time.

SEC. 31. No person or persons shall establish any coal or wood yard, lumber-yard, or yard for the storage of coal, lumber, or wood, or yard for the storage or sale of any new or second-hand combustible material, upon any new site, or site not used for such purposes for the period of one year previously, within fifty feet of any lot or building on either side of premises intended for any of the uses above named, unless the person or persons desiring to establish or locate any such premises shall first file with the inspector of buildings the written consent of all the owners of real estate within ninety feet of the ground which is contemplated to be occupied; in which case the question shall be submitted in writing by the inspector of buildings, to the executive authority of the District, for its decision.

The storage in large quantities of any combustible material whatever shall not be permitted in the thickly built portions of the cities of Washington and Georgetown.

SEC. 32. No person or persons shall establish, erect, construct, or lay off within the building limits any brick-yard, brick-kiln, or pottery-furnace, nor any slaughter-house, soap or candle manufactory, bone-boiling or other establishment whereby offensive odors are generated to the detriment or injury of the neighborhood, upon any site not used as aforesaid during twelve months immediately preceding, nor shall any such establishment now existing be extended to within one hundred and fifty yards of any dwelling-house occupied or used, unless the person or persons desiring to conduct or extend any of the above-enumerated estab-

lishments shall first file with the inspector of buildings, the written consent of all the property-owners and occupants within two hundred and fifty yards of such establishment, and shall have received a permit therefor.

SEC. 33. All blank forms of permits, applications, certificates, and notices required by these regulations shall be prepared under the supervision of the executive authority of the District.

Application for any permit or certificate prescribed in these regulations must only be made on appropriate blank, prepared as hereinbefore required, and obtained from the office of inspector of buildings. If the desired permit or certificate can be properly issued, the applicant will be informed of the amount of the requisite fee or other proper charge, the payment of which must be made to the treasurer of the District of Columbia, who shall, in writing, receipt therefor upon the application. The receipt so given shall be the evidence of such payment on which further action in the premises may be taken by the inspector of buildings under these regulations.

SEC. 34. The charges and fees under these regulations shall be as follows: for each permit for new building or other structure, two dollars for each building or other structure; for each permit for alteration or repair, one dollar for each building or structure; for each permit for vault, two dollars per linear front foot of proposed vault; for each permit for area in front of the building-line of any building now erected, or any structure or building hereafter erected, after the same shall have been completed, one dollar each; for all other permits and certificates, one dollar each; for measuring, under section 9, in the matter of party-walls, the fee shall not exceed five dollars, except in cases of express agreement, and for examination of dangerous buildings, defective escape facilities, or other defective or insufficient arrangements or appliances in public assembly rooms, on appeal, the fee shall be as prescribed in section 3.

SEC. 35. In all buildings of a public character, already erected or hereafter built, such as public halls, churches, and places of amusement and instruction, the doors shall open outward and remain open when the building is occupied, except fly-doors, opening both ways, which may be kept closed. The hall doors, stairways, seats, and aisles shall be so arranged as to facilitate egress in cases of fire or accident; and to afford the requisite and proper accommodation for the public protection in such cases, all aisles and passage-ways in such buildings shall be kept free from camp-stools, chairs, sofas, and other obstructions, during every service, exhibition, lecture, performance, concert, ball, or any public assemblage.

In all theaters and public places of amusement there shall be kept, attached to a plug or water attachment, to be furnished by the owners or lessees for that purpose, sufficient hose, of the size used by the fire department of Washington and Georgetown, to extend to the farthest limits of said place of amusement, and said hose shall be kept at all times in good order and repair, and ready for immediate use.

SEC. 36. If any person or persons shall violate any provision of these building-regulations, or of any regulation hereafter adopted in amendment of or in addition thereto, for the violation of which no other penalties are therein provided, such person or persons shall forfeit and pay not less than ten nor more than one thousand dollars for each and every such violation. All penalties under these regulations shall be recovered by the executive authorities of the District of Columbia, or their successors, under informations filed in the name of said District in the

police court of said District, as fines are recovered for the violation of municipal ordinances.

If any person, after being fined in the police court for any violation of any provision of these regulations, shall persist in the same violation, such person shall forfeit and pay the further sum of one hundred dollars for each and every week that he or she shall so persist, except in the case of maintaining a dangerous structure, when he or she shall forfeit and pay said further sum of one hundred dollars for each and every day that he or she shall maintain said structure after having been fined in the police court for doing so.

In addition to the proceeding before the police court by information, the supreme court of the District of Columbia, or any justice thereof, either in term time or vacation, shall exercise equity powers for the enforcement of these regulations, and particularly for the removal, within a time fixed by the court or the acting justice, of any building or structure, the filling up of any vault or area, and the abatement of any nuisance of which complaint shall be made as a violation of these regulations or any part thereof.

SEC. 37. All building-regulations and parts of building regulations of the late corporations of Washington and Georgetown inconsistent with these regulations, are hereby repealed.

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OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
Washington, January 18, 1877.

Ordered, That in preparing special-assessment certificates on the different streets, alleys, &c., no assessment be made on private property for lowering water-mains, when the work is necessitated by change of grade or otherwise, where the property has been once assessed on account of such water main or mains.

2. That private property must not be assessed twice for like improvements.

3. That private property must not be charged with expenditures for improvements abutting upon or in front of church property.

4. That assessments *prepared under the Commissioners* conflicting with the above will be amended accordingly.

W. DENNISON,
J. H. KETCHAM,
S. L. PHELPS,
Commissioners, District of Columbia.

OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
Washington, March 1, 1877.

Ordered, That so much of the center of Vermont avenue toward the southwest from the inside line of the footwalk upon the south side of I street as may be necessary for six carriages and no more, arranged in two close lines, be designated as the location for a hack-stand.

2. That the hack-stand now used on Vermont avenue, between H and I streets, northwest, and the hack-stand on the west side of Fifteenth-and-a-half street, between Pennsylvania avenue and H street, northwest, established by order of the Commissioners of the District of Columbia October 14, 1874, are hereby discontinued and abolished.

3. That this order shall take effect immediately.

W. DENNISON,
J. H. KETCHAM,
S. L. PHELPS,
Commissioners, District of Columbia.

OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
Washington, April 26, 1877.

Ordered, That no person owning or otherwise interested in any horse or cart shall be employed in any service of the District government connected with repairs of streets, &c., and any person so employed shall be discharged forthwith.

W. DENNISON,
J. H. KETCHAM,
S. L. PHELPS,
Commissioners, District of Columbia.

OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
Washington, June 26, 1877.

The following order was this day adopted and ordered to be published in the Evening Star (newspaper) this day:

Notice is hereby given to the following-named railroad companies that the amounts chargeable respectively against them for the pavement of Pennsylvania avenue, under the act of Congress entitled "An act authorizing the repavement of Pennsylvania avenue," approved July 19, 1876, are as follows, to wit:

The Washington and Georgetown Railroad Company, $19,886.69.

The Capitol, North O Street and South Washington Railroad Company, $2,828.85.

The Metropolitan Railroad Company, $1,275.15.

Which sums we, the undersigned, acting under the authority conferred upon us in said law, do hereby assess upon said railroad companies respectively.

And we further give notice that if the aforesaid railroad companies, or any of them, assessed as above shall neglect or refuse, for the space of thirty days from the date of publication of this notice, to pay to the collector of the District of Columbia the amounts so assessed upon them respectively, we will, in pursuance of said law, issue certificates of indebtedness against the property so assessed, which certificates will bear interest at the rate of ten per centum per annum until paid, and which until they are paid paid will remain and be a lien upon the property on or against which they are issued.

W. DENNISON,
J. H. KETCHAM,
S. L. PHELPS,
Commissioners of the District of Columbia.

WASHINGTON, D. C., *June* 26, 1877.

OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
Washington, D. C., June 26, 1877.

The following order was this day adopted, and ordered to be published in the Evening Star (newspaper) to-morrow, the 27th instant:

Pennsylvania avenue pavement.—Assessment notice.

OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
Washington, June 26, 1877.

Whereas H. G. Wright and Q. A. Gillmore, of the Engineer Corps of the Army, and Edward Clark, of Washington City, forming a commission appointed by the act of the Congress of the United States, entitled "An act authorizing the repavement of Pennsylvania avenue," approved July 19, 1876, have reported that they have fully performed the duties imposed upon them by said act, and have caused Pennsylvania avenue, in Washington, District of Columbia, to be paved from the northwest gate of the Capitol grounds to and including the crossing of Fifteenth street west, in the manner provided for in said act, and that such pavement has been completed to their satisfaction, at a total cost of $318,739.43;

And whereas it is by the third section of said act of Congress provided that the cost of laying down said pavement shall be paid for in the following proportion and manner: The Washington and Georgetown Railroad Company shall bear all the expense for that portion of the work lying between the exterior rails of the tracks of the road and for a distance of two feet from and exterior to the track on each side thereof;

And whereas, by the seventh section of said act, it is provided that when street-railroads cross Pennsylvania avenue the pavement between their tracks shall conform to the kind of pavement used on the said avenue, and the companies owning these intersecting railroads shall pay for paving the same in the same manner and proportion as is required by section 3 of the Washington and Georgetown Railroad Company;

And whereas by the third section of said act it is provided that the United States shall pay the cost of paving the spaces between its property and the part of the avenue to be paid for by said Washington and Georgetown Railroad Company, and one-half of the cost of paving the intersections of the streets and avenues, less that to be paid by the said railroad companies, and the other half shall be paid out of the revenues of the District of Columbia, and the residue of the cost of such paving shall be paid as follows: One-third by the owners of private property lying and abutting on said Pennsylvania avenue, in proportion to their frontage thereon, one-third by the United States, and one-third out of the general revenues of the District of Columbia;

And whereas it is further provided by said act that the property-owners of such parts of squares 254, 256, 323, 348, 408 as are abutting upon said pavement shall be assessed at the same rate per front foot as the owners on Pennsylvania avenue, and also that the space between Seventh and Eighth streets, opposite the locality now occupied by the Washington Market Company, shall be paid by the District of Columbia;

And whereas it is further provided by said act that assessments shall be made by the Commissioners of the District of Columbia upon the owners of said private property on said avenue and squares and upon said railroad companies respectively, and the sums so found collected by the collector of the District of Columbia;

And whereas, of the total cost of said pavement as reported by the said commission, to wit, $318,739.43, we find that the sum of $19,886.69 was the whole expense for that portion of the work lying between the exterior rails of the tracks of the road of the Washington and Georgetown Railroad Company, and for a distance of two feet from and exterior to the track on each side thereof; and that the further sum of $2,828.85 was the whole expense for that portion of the work lying between the exterior rails of the tracks of the road of the Capitol, North O street and South Washington Railway Company (which company is the owner of a railroad intersecting Pennsylvania avenue at Fourteenth street west and at First street west), and for a distance of two feet from and exterior to the track on each side thereof; and that the further sum of $1,275.15 was the whole expense for that portion of the work lying between the exterior rails of the tracks of the road of the Metropolitan Railroad Company (which company is the owner of a railroad intersecting Pennsylvania avenue at Ninth street west), and for a distance of two feet from and exterior to the track on each side thereof; and that the further sum of $49,754.91 was the cost of paving the space between the property of the United States and the part of the avenue to be paid for by said Washington and Georgetown Railroad Company; and that the further sum of $5,036.82 was the cost of the pavement between

Seventh and Eighth streets opposite the locality now occupied by the Washington Market Company; and that the further sum of $91,611.30 was the whole cost of paving the intersections of the streets and avenues less that to be paid by the said railroad companies, which said last-mentioned sum is to be paid in equal parts by the United States and by the District of Columbia, and that the further sum of $148,345.71 was the residue of the cost of such paving:

Now, therefore, this is to give notice that we, the undersigned, Commissioners of the District of Columbia, acting by authority of the said act of the Congress of the United States, have this day assessed, and do hereby assess, upon the said Washington and Georgetown Railroad Company, the Capitol, North O street and South Washington Railway Company, and upon the Metropolitan Railroad Company, the aforesaid sums respectively found to be the cost of the payment chargeable to them respectively under the said law of Congress; and that we do hereby assess upon the owners of private property lying and abutting upon said Pennsylvania avenue and upon the property-owners of such parts of squares 254, 256, 323, 348, and 408 as are abutting upon said pavement, the sum of $49,448.47, being the third of the residue aforesaid, and the amount chargeable under the law to said private property-owners, and that we have apportioned the said assessment in proportion to frontage upon said pavement among said owners as follows:

Rate of assessment $6.34.3106 per front foot.

Square or reservation.	Lot.	Front feet.	Amount.	To whom assessed.
Square 225	1	86	$545 51	Joseph C. and H. A. Willard.
225	2	53.5	338 83	Do.
225	Of 3	E. 26.8	169 15	Ruth Carberry.
225	Of 3	W. 26.8	169 15	Samuel W. Owen.
225	4	53.4	338 30	Joseph C. Willard.
225	5	53.5	338 83	Do.
225	Of 6	E. 27	171 26	M. F. and C. H. Cragin, jr.
225	Of 6	W. 51.2	324 55	William W. Corcoran.
226	Subdivision H. Y	30	190 29	Henry K. Randall.
226	Subdivision I. o. n	20	126 86	Do.
226	Subdivision a	26.2	165 98	Do.
226	Subdivision b	25	158 58	Do.
226	Subdivision c	25	158 58	Henry K. Randall, trustee.
226	Subdivision d	23.5	148 53	W. B. Webb and M. V. Z. Woodhull.
226	Subdivision M. z	25	158 58	Do.
226	Subdivision B. t	25	158 58	George G. Cornwell.
226	Subdivision K	25	158 58	Mary Gunton Temple.
226	Subdivision Bux	25	158 58	Thomas Cookendorfer.
226	Subdivision Bn	25	158 58	Maxwell V. Z. Woodhull.
226	Subdivision e	25	158 58	Do.
226	Of subdivision f	W. 17.3	109 42	J. Forbes Beall.
226	Of subdivision f	E. 7.9	49 16	D. W. Middleton.
226	Subdivision g	25	158 58	Do.
226	Of subdivision h	W. 21.7½	137 17	Sisters of the Visitation, Georgetown.
226	Of subdivision h	E. 3.4½	21 40	A. R. Frazer.
226	Subdivision i	18.1	114 70	Do.
254	Of 9	W. 32.4	205 09	Joseph C. Willard.
254	Of 9	25.2	159 63	William B. Love, trustee C. A. Kidwell.
254	Of 9	E. 2.11¼	18 63	William J. Stone, jr. (heirs).
254	Of 8	W. 25	158 58	Do.
254	Of 8	E. 24.11¼	158 45	Henry A. Willard.
254	Of 7	W. 40.5¼	256 50	Do.
254	Of 7	E. 20	126 86	Charles G. Ball.
254	Of 6	W. 23.2¼	147 08	Francis Miller, trustee Julia Blake.
254	Of 6	29.6½	187 39	William Shoomaker.
256	Subdivision 15	24	152 24	Timothy Toumey.
256	Subdivision 16	16.2	102 55	Do.
256	Subdivision 17	16.2	102 55	Henry Birch.
256	Subdivision 18	16.2	102 55	William Fletcher.
256	Of 9	E. 24.2	153 29	Alexander Rutherford.
256	Of 10	W. 24.2½	153 55	S. A. Prentiss.
256	Of 10	E. 24.2½	153 55	John F. Bridgett.

Square or reservation.	Lot.	Front feet.	Amount.	To whom assessed.
Square 256	Of 11	W. 24.2	$153 29	Benjamin F. Lloyd.
256	Of 11	E. 24.2	153 29	B. F. Lloyd, trustee C. Murtagh.
256	12	48.4	306 58	William J. Murtagh.
291	Of 1	E. 34	215 67	Phillip K. Reily.
291	Of 1	20	126 86	John France.
291	Of 1	25	158 58	Robert K. Stone (heirs).
291	Of 1	17.6	111 00	Elizabeth J. Stone.
291	Of 1	W. 17.6	111 00	Mary K. Lenthall.
291	2	55	348 87	Elias Travers.
291	Of 3	E. 5	31 72	Do.
291	Of 3	W. 50	317 15	James Travers.
291	Of 4	E. 25.1	159 11	Do.
291	Of 4	W. 29.11	189 77	Joseph Travers.
291	5	82	520 13	Do.
292	Of 1	E. 21.11½	139 28	August Lepreux.
292	Of 1	21.11½	139 28	Do.
292	Of 1	21.11½	139 28	William J. Stone, jr. (heirs).
292	Subdivision 5	25.9	163 33	Joseph B. Varnum.
292	Subdivision 6	22.8½	144 04	Mary B. Hill.
292	Of 1	W. 6.7	41 76	John France.
292	Of 2	E. 15.6¾	98 72	Do.
292	Of 2	15.6¾	98 72	C. L. and Robert Coltman.
292	Of 2	W. 31.1½	197 43	James McColgan.
292	Subdivision A	16.0¼	101 62	George W. Bonnell.
292	Subdivision B	16.1½	102 28	Jane Farnham.
292	Subdivision C	15.0¾	95 54	Do.
292	Of 3	W. 23.7½	149 86	Curtis B. Graham.
292	Of 4	E. 22.11	145 36	Abraham H. Herr.
292	Of 4	24.3	153 82	Andrew Hancock.
292	Of 4	23.7	149 60	John Walter, jr., trustee John Walter, sr.
292	Of 4	W. 36.3	229 94	John F. Betz.
322	Subdivision D	21.2½	134 53	Alexander R. Shepherd.
322	Subdivision C	25.3	160 16	Do.
322	Subdivision B	25.3½	160 43	Robert K. Stone (heirs).
322	Subdivision A	25.3	160 16	Francis A. Lutz.
322	Of 1	W. 32	202 98	George F. Schaefer.
322	Of 1	31.8	200 87	M. W. Galt & Bro.
322	Of 1	15.10	100 43	Joseph Shillington.
322	Of 1	15.10	100 43	Frederick Pilling.
322	Of 1	E. 20	126 86	John J. Johnson.
323	Of 8	W. 24	152 23	G. A. W. Randall.
323	Of 8	16	101 49	Thomas Lewis.
323	Of 8	E. 10	63 43	John W. Allen.
323	Of 9	W. 10.1	63 96	Do.
323	Of 9	20	126 86	George L. Sheriff.
323	Of 9	E. 20	126 86	William Grupe.
323	10	50.1	317 68	William Stone Abert.
323	11	50	317 16	Elizabeth J. Stone.
348	Of 1	E. 30.2	191 35	John Moore.
348	Of 1	W. 19.10	125 80	George Savage.
348	Of 2	E. 25.0½	158 84	William B. Kibbey.
348	Of 2	W. 25.0½	158 84	Do.
348	Of 3	E. 29.1	184 48	Do.
348	Of 3	W. 21	133 20	Do.
348	Of 4	E. 25	158 58	William Orne.
348	Of 4	W. 25	158 58	Walter S. Cox.
349	Of 6	W. 28	177 60	Thomas M. Harvey.
349	Of 6	24	152 23	John W. Thompson.
349	Of 6	40.6	256 89	Louis H. Schneider.
349	Of 6	E. 23	145 89	John W. Thompson.
349	Subdivision D	25	158 58	Columbus Alexander.
349	Subdivision C	25	158 58	John Hitz and others, trustees.
349	Subdivision B	25	158 58	Henry De Camp.
349	Subdivision A	21.6	136 38	Mary Ann Harvey and others.
379	Subdivision 50	51.0½	323 76	William Gunton.
379	Of 1	23.2½	147 21	John Markriter.
379	Of 1	W. 23.3	147 47	Stephen P. Franklin.
379	Of 2	E. 29.3	185 53	James C. Hall.
379	Of 2	22	139 54	Robert S. Patterson.
379	Of 2	W. 14.9	93 56	Joseph Bryan.
379	Of 3	E. 26	164 92	E. Lindsley.
379	Of 3	24	152 23	Francis Masi.
379	Of 3	W. 23	145 89	William Wall.
379	4	47.2	299 18	Michael Shanks.
379	5	47.2	299 18	Elias Travers and others.
379	Of 6	E. 23.7	149 59	Elizabeth Cropley.
379	Of 6	W. 23.7	149 59	John C. McKelden.
379	Of 7	E. 23.7	149 59	John F. Ellis.
379	Of 7	W. 23.7	149 59	Annie E. May.
379	Subdivision 54	19.33	122 61	Mary B. Hill.
379	Subdivision 55	18.36	116 45	Do.
379	Subdivision 56	56.56	358 76	Joseph B. Varnum.

Square or reservation.	Lot.	Front feet.	Amount.	To whom assessed.
Square 380	Of 1	E. 47.2	$299 18	Mutual Fire-Insurance Company.
380	Of 1	27.8	175 59	Theodore Wheeler.
380	Of 1	27.5¾	174 30	Julia Keep.
380	Of 1	W. 0.2¼	1 19	Columbia Bank-Note Company
380	Subdivision A	20	126 86	Do.
380	Subdivision B	23.4	148 00	Do.
380	Subdivision C	23.9	150 65	Anthony and A. M. Buckley.
380	Subdivision D	23.1½	146 68	Alexander R. Shepherd.
380	Subdivision E	23.1½	146 68	Ann M. and H. Kerr.
380	Subdivision F	23.1½	146 68	Do.
380	Subdivision G	23.1½	146 68	Robert S. Patterson.
380	Of 6	E. 20	126 86	Thomas McGill, trustee.
380	Of 6	19.10	125 81	William Noell.
380	Of 6	39.10	252 67	Michael R. Coombs.
380	Of 6	22	139 55	William H. Ward and William B. Webb, trustees.
380	Of 6	W. 22.10	144 83	Do.
408	Of 1	E. 25	158 58	Lucy A. Wheeler.
408	Of 1	W. 25	158 58	Angelica Simpson.
408	Of 2	E. 25	158 58	Thomas L. Hume.
408	Of 2	W. 25	158 58	Catherine A. Whalen.
408	Of 3	E. 25	158 57	William B. Kibbey.
408	Of 3	W. 25	158 58	Thomas Connolly, of John.
408	Subdivision A	25	158 57	William H. Clagett.
408	Subdivision B	25	158 58	A. E. and T. J. S. Perry.
460	Subdivision A	18.9	118 93	Samuel Caughey and J. N. Winston.
460	Subdivision B	18.9	118 93	Do.
460	Subdivision C	18.9	118 93	James T. and Henry B. Castleman.
460	Of 1	W. 56.3	356 80	Marshall Brown.
460	2	51.6	326 66	Do.
460	Of 3	E. 31.11	202 47	Do.
460	Subdivision M	21.98	139 42	Matthew G. Stevens.
460	Subdivision L	21.98	139 42	James Y. Davis.
460	Of 4	W. 27.11½	177 35	M. W. & W. Galt.
460	Of 5	E. 22	139 55	William H. Ward.
460	Of 5	21.6	136 38	Z. D. Gilman.
460	Of 5	15.4	97 26	Henry Janney.
460	Of 5	W. 45	285 44	John R. Murray and John H. Semmes.
461	Subdivision 1	23.5	148 53	Hugh Gelston.
461	Subdivision 2	22	139 55	John Moore.
461	Subdivision 3	10	63 43	Michael R. Coombs.
461	Subdivision 4	12	76 12	Do.
461	Subdivision 5	24	152 24	William H. Campbell.
461	Of subdivision 6	22	139 55	Joseph B. Bryan.
461	Subdivision 7	22	139 55	William B. Todd and H. Probson, trustee A. Duncanson.
461	Of 2	E. 20	126 86	Thomas Parker.
461	Of 2	W. 39.9	252 14	Ann S. Parker.
461	Of 3	E. 3.3	20 61	Do.
461	Subdivision 56	26.7½	168 88	John E. Kendall.
461	Subdivision 58	29.10½	189 53	Benjamin F. Wade.
461	Subdivision 53	30	190 29	W. B. Todd and B. L. Jackson trustees.
461	Subdivision 52	23.9	150 64*	Do.
461	Subdivision 54	22	139 54	B. L. and W. B. Jackson.
461	Of 5	22	139 54	Jacob Karr.
461	Of 5	W. 22	139 55	Robert Cohen.
461	Subdivision 12	24.3	153 82	Nicholas H. Shea.
461	Subdivision 11	24.3	153 82	Andrew Coyle.
461	Subdivision 10	24.2	153 29	William Egan.
461	Subdivision 9	24.2	153 29	Marion B. Thompson.
461	Of subdivision 8	37.7	238 40	Samuel and Peter F. Bacon.
491	Of 1	E. 55.7	352 57	George Beall.
491	Of 1	18	114 18	Emily Beall.
491	Of 1	18.4½	116 56	Benjamin H. Duvall.
491	Of 1	W. 18.4½	116 56	Annie Duvall and others.
491	Of 2	E. 29.6½	187 39	William J. Stone, jr. (heirs).
491	Of 2	14.9¼	93 69	William B. Kibbey.
491	Of 2	W. 14.9¼	93 69	Henry Scherf.
491	Of 3	E. 18	114 18	Edward Lacey.
491	Of 3	16	101 49	John M. Johnson.
491	Of 3	W. 22.11	145 36	William H. Morrison.
491	Subdivision A	27.7½	175 23	Daniel B. Clarke.
491	Of 4	13.9¾	87 59	Henry Kraak.
491	Of 4	W. 13.9¾	87 60	Do.
491	Of 5	E. 27.7½	175 23	Joseph Hoban.
491	Of 5	W. 27.7½	175 23	Frank Taylor.
491	Of 6	E. 19.4	122 64	Caroline Kaufman.
491	Of 6	19.4	122 64	Francis A. Lutz.

Square or reservation.	Lot.	Front feet.	Amount.	To whom assessed.
Square 491	Of 6	W. 19.4	$122 64	Horace S. Johnson.
491	Of 7	E. 19	120 52	Francis A. Lutz.
491	Of 7	19	120 52	Do.
491	Of 7	W. 20	126 86	National Hotel Company.
491	8	58	367 90	Do.
491	9	71.8	454 59	Do.
Reservation B	Of 16	W. 45.8	289 66	B. F. Middleton and B. Beall.
B	Of 16	E. 6.6	41 23	Benjamin Beall.
B	Of 17	W. 22	139 55	Do.
B	Of 17	E. 3	19 03	Sarah A. Greeves.
B	18	25	158 58	Do.
B	19	25	158 58	B. F. Middleton and B. Beall.
B	20	25	158 58	Mary Miller.
B	21	25	158 58	Horace S. Johnson.
B	22	25	158 58	Charles Stott.
B	23	25	158 58	Mary Preston.
B	24	25	158 58	Ann Phillips.
B	25	25	158 58	Frederick W. Plugge.
B	26	25	158 57	Sarah A. Greeves.
B	27	25	158 58	Do.
B	Of 28	25	158 58	Joseph and Carper Barber.
B	Of 29	25	158 58	George Bauer.
B	30	25	158 58	Thomas E. Young.
B	31	25	158 58	John Fegan.
B	32	25	158 58	Matthew G. Emery.
B	33	25	158 58	William H. Phillip.
B	34	25	158 58	James E. Young.
B	35	25	158 57	John R. Murray.
B	36	25	158 57	Walter D. Wyville.
B	Of 37	25	158 57	American Colonization Society.
10	1	50.11	322 96	William B. Todd and others.
10	Of 2	25	158 58	Do.
10	Of 3	25	158 58	Mary Keene.
10	Subdivision 4	25	158 58	Ann W. Smith.
10	5	25	158 58	George Savage and others.
10	6	25	158 58	Susan Ireland.
10	7	25	158 58	John S. Devlin.
10	8	25	158 58	Antonio Bregazzi.
10	Subdivision 53	25	158 58	P. W. Browning.
10	10	25	158 58	Joseph Follansbee.
10	11	25	158 58	Charles F. Myers, trustee F. E. Upperman.
10	12	25	158 58	E. H. Pendleton.
10	Subdivision 51	25	158 58	Michael Shanks.
10	14	25	158 58	John C. Rives.
10	15	25	158 58	Do.
10	Of 16	25	158 58	John P. Weigman.
10	17	25	158 57	Matthew G. Emery.
10	18	25	158 57	William W. Corcoran.
10	19	26	164 92	Do.
10	20	26	164 92	John G. Barthel.
10	Of 21	E. 25	158 57	Columbus Alexander.
10	Of 21	W. 25	158 57	George Ailer.
A	13	52.11	335 65	John R. Murray.
A	14	25	158 58	Mary Ann Eckel.
A	15	25	158 58	John C. Wilson and M. M. Allen.
A	16	25	158 58	Galilean Fishermen.
A	17	25	158 58	Noble Young.
A	18	25	158 58	John Riley.
A	19	25	158 58	Robert Brown.
A	20	25	158 58	Frederick Cudlipp.
A	21	25	158 58	John M. Johnson.
A	22	25	158 58	Henry Lee.
A	23	25	158 58	William W. Corcoran.
A	24	17.7	111 53	Do.
A	Part	7.5	47 04	Do.
A	25	25	158 58	Columbus Alexander.
A	26	25	158 58	William W. Corcoran.
A	27	25	158 58	George M. Oyster.
A	28	25	158 58	William W. Corcoran.
A	29	25	158 58	Carl Mueller.
A	30	25	158 58	Henry Naylor.
A	31	25	158 57	John McDermott.
A	32	25	158 57	Do.
A	33	25	158 57	Charles Mades.
A	34	25	158 57	Do.
12	1	55	348 87	Matthew G. Emery.
12	2	25	158 58	Do.
12	3	25	158 58	William C. O'Meara.
12	4	25	158 58	Do.
12	5	25	158 58	Joseph Follansbee.
12	Subdivision 19	25	158 58	August Grages.

Square or reservation.	Lot.	Front feet.	Amount.	To whom assessed.
Reservation 12	7	25	$158 58	H. L. Bond, trustee.
12	8	25	158 58	William Morrow.
12	9	25	158 58	John Purdy.
12	10	25	158 58	Do.
12	11	25	158 57	Vinnie Ream.
12	12	25	158 57	Isabel Maury.
12	13	25	158 57	Do.
Square 575	Subdivision 1	20	126 86	John T. Killmon.
575	Subdivision 2	20	126 86	Cassimer Bohn.
575	Subdivision 3	20	126 86	Samuel Norment.
575	Subdivision 4	20	126 86	Thomas Carbery.
575	Subdivision 5	20	126 86	John Hltz.
575	Subdivision 6	20	126 86	Gregory Ennis.
575	Subdivision 7	22. 10	144 83	William W. Corcoran.
575	2	59. 8	378 47	John Purdy.
575	Of 3	E. 20	126 86	Do.
575	Of 3	19	120 52	Fred. Steinle.
575	Of 3	W. 19	120 52	Henry Kottman.
575	Of 4	E. 31	196 64	Gregory Ennis.
575	Of 4	15	95 15	Do.
575	Of 4	24	152 23	Charles Draine.
575	Subdivision 60	25. 40	161 12	Thomas H. G. Todd.

And in pursuance of said law we have found the amount to be paid by the District of Columbia to be $100,291.04.

And we further give notice that if any of the aforesaid railroad companies, or any private citizen, corporation or person assessed as above shall neglect or refuse for the space of thirty days from the date of publication of this notice, to pay to the collector of the District of Columbia the amount so assessed against them respectively, we will, in pursuance of the law, issue certificates of indebtedness against the property, which certificates will bear interest at the rate of ten per centum per annum until paid, and which until they are paid will remain and be a lien upon the property on or against which they are issued.

W. DENNISON,
J. H. KETCHAM,
S. L. PHELPS,
Commissioners of the District of Columbia.

OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
August 17, 1877.

Ordered, That George W. Beall shall discharge the duties of the office of auditor and comptroller in and for the District of Columbia, under the designation of acting auditor and comptroller, during the temporary absence on leave of auditor and comptroller John T. Vinson, or until otherwise ordered.

2. That henceforth no overseer of roads or streets in this District will be permitted to charge for horses or carts owned by him, or in which he is interested, directly or indirectly.

W. DENNISON,
S. L. PHELPS,
THOS. B. BRYAN,
Commissioners District Columbia.

OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
August 18, 1877.

Ordered, That the hereinafter recited orders of the board of trustees of

public schools, in and for the District of Columbia, fixing the rates of compensation of the teachers and other employés in the public schools of said District and the accompanying directions for their application, are hereby approved, and will be carried into effect on and from this date until otherwise ordered, viz:

Ordered, 1. That the salaries of the teachers of the first and second grades, half-day schools, shall be—

First year	$400
Second year	425
Third year	450
Fourth year	475
Fifth year	500

2. That the salaries of the teachers of the first and second grades, whole-day schools, shall be—

First year	$500
Second year	550
Third year	600

3. That the salaries of the teachers of the third grade shall be—

First year	$550
Second year	600
Third year	650

4. That the salaries of the teachers of the fourth grade shall be—

	Female teachers.	Male teachers.
First year	$600	$650
Second year	650	700
Third year	700	750

5. That the salaries of the teachers of the fifth grade shall be—

	Female teachers.	Male teachers.
First year	$650	$700
Second year	700	750
Third year	750	800

6. That the salaries of the teachers of the sixth grade shall be—

	Female teachers.	Male teachers.
First year	$700	$750
Second year	750	800
Third year	800	850

7. That the salaries of the teachers of the seventh grade shall be—

	Female teachers.	Male teachers.
First year	$750	$800
Second year	800	850
Third year	850	900

8. That the salaries of the teachers of the eighth grade girls' schools shall be—

	Principal.	Sub-assistant.
First year	$900	$250
Second year	950	250
Third year	1,000	250

EXCEPTION.—*Ordered*, That the salary of the assistant in the first district eighth grade girls' school shall be $650, and no sub-assistant allowed; and that the salaries of the present principals in the 1st, 2d, and 3d districts shall be $1,000.

9. That the salaries of the teachers of the ninth grade girls' schools shall be—

Principal	$1,200
Assistant, first year	750
Assistant, second year	800
Assistant, third year	850

10. That the salaries of the teachers of the eighth and ninth grades boys' schools shall be—

	Supervising principals.	Assistants.
First year	$1,550	$1,000
Second year	1,600	1,000
Third year	1,650	1,000

11. That the salaries of the teachers of the seventh district high school shall be—

Principal	$1,350
First assistant	950
Second assistant	900
Third assistant	900

11½. That the salaries of the principals of the Sumner, Stevens, John F. Cook, Lincoln, and Randall buildings shall be $1,000; and of the principals of the Chamberlain, Liberty Hall, Lovejoy, and Anthony Bowen buildings shall be $900.

12. That the salary of the principal teacher of the seventh district eighth grade boys' and girls' school shall be $900.

13. That the salary of the teacher of the normal school shall be $1,350.

14. That the salaries of the teachers of special subjects shall be—

Music:

Male teachers	$800
Female teachers	600

Drawing:

Principal teacher	$700
Assistant teacher	650
For seventh district school	1,100

EXCEPTION.—*Ordered*, That the salary of the teacher of vocal music for the fifth district shall be $270, and the salary of the present male teacher for the first four districts shall be $960.

15. That the salaries of the superintendents and clerks or assistants shall be—

For the white schools:

Superintendent	$2,700
Clerk or assistant, first year	700
Clerk or assistant, second year	750
Clerk or assistant, third year	800

For the colored schools:

Superintendent	$2,250
Clerk or assistant, first year	650
Clerk or assistant, second year	700
Clerk or assistant, third year	750

EXCEPTION.—*Ordered*, That the salary of the present clerk and assistant to the superintendent of the seventh district shall be $800.

16. That the secretary of the board of trustees and the clerk of the committee on supplies and accounts shall each receive $150.

17. That the salaries (not allowances) of the janitors of the Franklin, Sumner, Jefferson, Stevens, Wallach, Seaton, Lincoln, Curtiss, Abbot, Cranch, Randall, John F. Cook, and Miner buildings shall be reduced from schedule prices, ten per centum, and the salary (not allowances) of the mechanical janitor shall be reduced ten per centum.

18. That the janitors and sweeps for the current school year shall be required to furnish any additional brushes, dusters, brooms and other articles in excess of those designated by the committee on supplies necessary to keep the school rooms and premises clean, at their own expense.

Directions for the application of the foregoing orders.

1. Credit shall be given to teachers for service heretofore in corresponding grades in the public schools of the District.

2. In promotion of teachers from one grade to another the salary shall not be decreased.

3. In schools of mixed grades, the highest grade shall govern or determine the salary whenever in city schools the number of pupils in such highest grade is equal to one-third of the whole number of pupils attending the school and not less than eighteen; and in county schools, whenever the number of pupils in such highest grade attending the school, and not less than six; but in no case shall the salary of male teachers be based upon a grade lower than the fourth.

4. Half-day schools are permitted in the first and second grades, and a salary for teachers of such schools is provided for in the schedules; but teachers who may be assigned to two half-day schools shall receive the same salary as is provided for teachers of a whole-day school of like grade.

5. Male teachers may be employed in boys' schools of the several grades in the city, and in schools of the mixed grades in the county, if deemed expedient by the board; but in every such case before such appointment shall be authorized, a written report giving the reasons therefor shall be submitted to the board by the committee on teachers.

6. The word "grade" as used in the schedule signifies one year's work of pupils according to the course of study prescribed for the white schools of Washington and Georgetown; and the words "first grade" signify the lowest or beginning grade.

Pupils must have satisfactorily completed the course of study in the first grade, and must have passed an acceptable examination therein, before being promoted to the second grade, and so on through all the grades.

7. That the pay-rolls of janitors shall be revised monthly by some standing committee of this board, whose duty it shall be to see and certify that the amount charged for "allowances" is made up in accordance with the orders of the Commissioners governing the pay of janitors.

Official copy furnished for information and guidance of board of trustees of public schools, D. C., August 18, 1877.

W. DENNISON,
S. L. PHELPS,
THOS. B. BRYAN,
Commissioners, District of Columbia.

OFFICE OF THE COMMISSIONERS
OF THE DISTRICT OF COLUMBIA,
Washington, August 23, 1877.

Ordered, That henceforth all persons in the service of the District government under the appointment or control of the District Commissioners, are forbidden to ask or receive, even if voluntarily tendered, any other compensation than their regular salaries or legal fees for any service rendered in connection with their respective offices. Nor shall thee deal directly or indirectly in tax-lien certificates, drawbacks, or like matters, in connection with the tax-payers themselves, with claim agents, or otherwise.

Any violation of this order, whether directly or by evasion, will subject the party so offending to prompt expulsion from office.

W. DENNISON,
S. L. PHELPS,
THOS. B. BRYAN,
Commissioners, District Columbia.

OFFICE OF THE COMMISSIONERS
DISTRICT OF COLUMBIA,
October 4, 1877.

Ordered, That the clerk in charge of special assessments is hereby authorized to receive at their face value, board of audit certificates of indebtedness issued in payment for old material, and for work done under permit, in payment of special assessments.

W. DENNISON,
S. L. PHELPS,
THOS. B. BRYAN,
Commissioners, District Columbia.

B—REPORT OF THE AUDITOR AND COMPTROLLER.

OFFICE OF THE AUDITOR AND COMPTROLLER, D. C.,
Washington, November, 1877.

GENTLEMEN: I have the honor to submit the following report of the operations of this office, and of the receipts and expenditures of the District government for eleven months ending October 31, 1877.

During this period the receipts were:

From appropriation (act January 20, 1877, removal of old jail, &c.)	$14,000 00	
From appropriation (act February 5, 1877, relief of poor, District of Columbia)	20,000 00	
From appropriation (act March 3, 1877, complete Tiber Valley sewer)	20,000 00	
From appropriation (act March 3, 1877, general purposes)	250,000 00	
From appropriation (act March 3, 1877, advances by the Secretary of the Treasury, to be reimbursed by the District of Columbia) for schools	75,000 00	
for payment of interest, &c	400,000 00	
From taxes and revenues from other sources	1,712,125 77	
Balance cash on hand December 1, 1876	112,942 22	
Total revenues to November 1, 1877		$2,604,067 99

During the same period there was expended on account of—

Commissioners' office		$20,419 49
Auditor and comptroller's office		17,866 13
Attorney's office		6,488 87
Board of assessors' office		10,524 74
Collector's office		10,764 46
Commissioners of the sinking fund office		4,170 12
Coroner's office		1,667 12
Inspector of buildings' office		4,541 45
Superintendent of assessments and taxes' office		6,033 12
Treasurer's office		4,175 12
Engineer's office and department		35,262 44
Compensation of employés preparing assessments		5,468 17
Inspectors of gas and meters		1,375 00
Sundry expenses of District offices, including rent, fuel, repairs, general advertising, judicial expenses, &c		11,228 35
Water registrar's office and department		82,336 68
Metropolitan police		134,706 06
Board of Health (as required by act of Congress)		15,280 84
Board of Health, on account of garbage-contract		12,081 00
Public schools		335,207 21
Fire department and alarm-telegraph		92,881 75
Police court		14,359 66
Washington Asylum		33,047 90
Georgetown Almshouse		1,606 65
Government Hospital for the Insane		7,051 68
Reform School		15,121 84
Charitable institutions, transportation of paupers, and conveying prisoners to workhouse		11,905 32
Relief of the poor, District of Columbia (act February 15, 1877)		20,000 00
Loan of Riggs & Co. (act August 16, 1876), principal and interest		151,360 34
Interest on the funded debt of the District of Columbia, late corporations of Washington and Georgetown, and on water-certificates		542,212 99
Interest on Linthicum Institute loan		3,200 00
Redemption of bonds, stock, and water-certificates		183,509 65
Markets		19,311 42
Street-lamps and gas		118,065 12
Repaving Pennsylvania avenue (act July 19, 1876)		101,291 04
Improvements and repairs		402,889 01
Sweeping and cleaning streets and alleys		33,210 09
Advertising property in arrears for taxes		4,232 50
Removal of old jail and erection of workhouse (act January 20, 1877)		11,895 87
Printing checks on United States Treasury, payment of judgments, auctioneers' fees, books for register of wills' office, erection and repairs to hay-scales, preparing building regulations, &c		5,403 91
Redemption of special-tax scrip, tax-lien, and tax-sale certificates, and refunding erroneously paid taxes, &c.		24,488 66
Total expenditures		$2,516,641 77
Balance on hand November 1, 1877		87,426 22
Subject to check:		
On account of removal of old jail, &c. (appropriation act January 20, 1877)	$2,104 13	
On account general purposes	85,322 09	
Total net balance subject to check		87,426 22

There was collected by the collector of the District of Columbia under the fourth section of the act of July 19, 1876, entitled "An act authorizing the repavement of Pennsylvania avenue," the sum of $28,212.98, which was turned over to the treasurer of the District, and by him paid into the Treasury of the United States as a special fund for the specific purposes therein named. The sum of $19,800, appearing in the de-

tailed statement marked A as received under the act of March 3, 1877, as an advance for interest is a mere transfer from one account to another, from taxes and revenues to appropriation, to facilitate the payment of interest in coin.

These sums constitute no part of the receipts of the District, and are not included in the above statement of either receipts or expenditures.

The accompanying statement marked Appendix A will show the receipts, and Appendix B will show the expenditures in detail during this period.

An examination of the account of the treasurer of the District of Columbia shows that he has deposited with the Treasurer of the United States, as required by law, all sums of money received by him officially, and has faithfully accounted for the same.

The account of the late assistant attorney, for fines collected by him on appeals from the police court, has been examined and found correct. The balance remaining in his hands after paying witnesses and costs in District cases has been regularly paid to the treasurer of the District and accounted for.

The accounts of the deputy marshals and of the superintendent of police, for fines collected in the police court, have been examined and found correct, and the moneys respectively received by them have been paid to the treasurer of the District of Columbia and accounted for.

The appropriation of $20,000 for the relief of the poor of the District by the act of February 5, 1877, was paid to the relief commission of the District of Columbia by warrants on the Treasurer of the United States on lists furnished by them to the Commissioners of the District of persons requiring relief from said fund, as required by the second section of said act. There was paid out of said fund in this manner to William Stickney, esq., president and treasurer of the citizens' relief commission for the cities of Washington and Georgetown, the sum of $17,943.09; and to L. S. Emery, esq., president of the citizens' relief commission for the county of Washington, $2,056.91. These gentlemen have rendered their accounts, with vouchers therefor, showing the expenditure of the entire amounts severally paid over to them.

There was paid out of the revenues of the District of Columbia, as required by the ninth section of the act approved July 19, 1876, for the repavement of Pennsylvania avenue, to Brvt. Maj. Gen. Q. A. Gillmore, disbursing agent of the commission for repaving said avenue, by warrant on the Treasurer of the United States, the sum of $3,000, to defray the necessary expenses of said commission. General Gillmore has rendered his account for the fourth quarter of 1876 and first and second quarters of 1877, with abstract and vouchers, showing an expenditure by him on this account of $1,133.97, leaving a balance due the District on the 1st of July, 1877, of $1,866.03. This account has been audited and found correct. The part of the cost of repaving said avenue charged to the District under the third section of said act, amounting to $100,291.04, has been paid to the Hon. Secretary of the Treasury, by warrant on the Treasurer of the United States.

The number of audits made during the past eleven months is 3,416, and the number of warrants drawn and countersigned in payment of these claims is 13,060.

The estimated expenses of this office for the next twelve months are $19,200, as will more fully appear by reference to Appendix D, accompanying.

Very respectfully submitted.

JOHN T. VINSON,
Auditor and Comptroller District Columbia.

The Hon. COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

B 1.—APPENDIX A.—*Statement by the auditor and comptroller of the receipts of the District of Columbia, as reported by the treasurer, from December* 1, 1876, *to October* 31, 1877, *inclusive.*

From whom and on what account received.	Detail.	Total.	Aggregate.
John F. Cook, collector, general receipts	$1,457,620 67		
John F. Cook, collector, license-tax	91,983 03		
		$1,549,603 70	
T. Lubey, water-registrar, water-rents and tax on mains		94,209 73	
Northern market	6,178 58		
Eastern market	2,851 00		
Eastern market (note account)	110 05		
Western market	8,553 98		
Sale of sheds, Western market	99 50		
Georgetown market	1,614 83		
		19,407 94	
Washington Market Company franchise rental (poor-fund)		7,500 00	
Interest on bonds belonging to Washington school-fund		3,623 08	
Insurance on John F. Cook school-building		7,500 00	
Building-permit fees received by inspector of buildings		3,000 00	
G. W. Beall, clerk in charge, account of special assessments		584 62	
Extension of fire-alarm telegraph to Columbia Institute for Deaf and Dumb		397 85	
W. Birney, attorney District of Columbia, account tax-injunction case, Browning *vs.* District of Columbia		800 00	
Sale of old material		273 02	
Commissioners District of Columbia, account notarial fees, &c		12 26	
Linthicum Institute and Peabody Library Association (fuel)		129 56	
Refunded on account of transportation of paupers	118 25		
Refunded by Public Printer, account Congressional Record	1 55		
		119 80	
Fines, criminal court	1,053 50		
Fines, police court	20,394 76		
		21,448 26	
S. L. Phelps, account of relaying curb	11 72		
T. B. Noonan, J. J. Atkinson, and A. S. Dent, repairs street-excavations	40 00		
		51 72	
Annual sale of hay-scales	2,368 50		
Rent of fish-wharves, Georgetown	172 00		
Rent of streets and town-house, Georgetown	110 00		
Rent of Seventh street wharf (open account)	250 00		
Rent of Seventh street wharf (bills receivable)	563 73		
		3,464 23	
Total amount received from taxes and revenue			$1,712,125 77
Paving Pennsylvania avenue, special deposit with collector, act of Congress July 19, 1876			28,212 98
From Congressional appropriations:			
Act January 20, 1877, removal of old jail, &c	14,000 00		
Act February 5, 1877, relief of destitute poor of District of Columbia	20,000 00		
Act March 3, 1877, general purposes District of Columbia	250,000 00		
Act March 3, 1877, Tiber Valley sewer	20,000 00		
Act March 3, 1877, public schools District of Columbia (reimbursable)	75,000 00		
Act March 3, 1877, advances for interest, &c. (reimbursable)	400,000 00		
Act March 3, 1877, advances for interest, &c. (reimbursement)	19,800 00		
		798,800 00	
Add amount received on account of appropriations			798,800 00
Grand total of receipts as reported by treasurer			2,539,138 75

JOHN T. VINSON,
Auditor and Comptroller District of Columbia.

OFFICE AUDITOR AND COMPTROLLER DISTRICT OF COLUMBIA,
Washington, November 6, 1877.

APPENDIX B.—*Statement showing the amount expended on account of the government of the District of Columbia from December* 1, 1876 (*the date of last report*), *to October* 31, 1877, *a period of eleven months.*

Title of account.	Detail.	Total.	Aggregate.	Grand aggregate.
DISTRICT OFFICES.				
Commissioners' office:				
Compensation of commissioners	$12,125 01			
Compensation of employés	5,613 00			
Contingent expenses	2,681 48			
Total for Commissioners' office		$20,419 49		
Auditor and comptroller's office:				
Compensation of employés	17,268 88			
Contingent expenses	597 25			
Total for auditor and comptroller's office		17,866 13		
Attorney's office:				
Compensation of employés	6,245 60			
Contingent expenses	243 27			
Total for attorney's office		6,488 87		
Board of assessors' office, 1876 and 1877:				
Compensation of employés	4,969 50			
Contingent expenses	261 12			
Advertising	308 31			
Total for board of assessors, 1876 and 1877		5,538 93		
Board of assessors, 1877 and 1878:				
Compensation of employés	4,334 48			
Contingent expenses	522 25			
Advertising	129 08			
Total for board of assessors, 1877 and 1878		4,985 81		
Collector's office:				
Compensation of employés	9,885 67			
Contingent expenses	878 79			
Total for collector's office		10,764 46		
Commissioners of sinking-fund office:				
Compensation of employés	3,112 12			
Contingent expenses	8 00			
Rent of office	1,050 00			
Total for commissioners of sinking-fund office		4,170 12		
Coroner's office:				
Compensation of coroner	1,650 00			
Contingent expenses	17 12			
Total for coroner's office		1,667 12		
Engineer's office and department:				
Compensation of employés	29,907 70			
Contingent expenses	4,689 88			
Advertising	664 86			
Total for engineer's office and department		35,262 44		
Inspector of gas and meters' office:				
Compensation of inspectors	1,375 00			
Total for inspector of gas, &c., office		1,375 00		
Inspector of buildings' office:				
Compensation of employés	4,259 47			
Contingent expenses	281 98			
Total for inspector of buildings' office		4,541 45		
Superintendent of assessments' office:				
Compensation of employés	5,618 12			
Contingent expenses	415 00			
Total for superintendent of assessments' office		6,033 12		
Treasurer's office:				
Compensation of employés	4,020 00			
Contingent expenses	155 12			
Total for treasurer's office		4,175 12		
Sundries:				
Compensation of harbor-master	80 00			
Compensation of sealer of weights, &c	120 00			
Compensation of employés preparing assessments for special improvements	5,468 17			
Fuel for District offices	447 59			
Ice for District offices	127 64			

APPENDIX B.—*Statement showing the amount expended, &c.*—Continued.

Title of account.	Detail.	Total.	Aggregate.	Grand aggregate.
Sundries—Continued.				
Gas used in District offices	$658 62			
Repairs to furniture, locks, &c	1,226 04			
Rent of building for District offices	5,500 00			
Insurance on furniture, &c	62 50			
General advertising	777 51			
Judicial expenses	2,228 45			
Total for sundries		$16,696 52		
Aggregate for District offices			$139,984 58	
WATER DEPARTMENT.				
Water-registrar's office:				
Compensation of employés	6,375 00			
Contingent expenses	1,115 71			
Advertising	285 27			
Total for water-registrar's office		7,775 98		
Water department:				
Compensation of laborers, &c	45,475 83			
Contingent expenses	29,084 87			
Total for water department		74,560 70		
Aggregate for office and department			82,336 68	
METROPOLITAN POLICE.				
Compensation of officers and members, and for other expenses	128,555 66			
Fuel for station-houses	50 40			
Rent of station-houses	4,600 00			
Repairs to station-houses	1,500 00			
Aggregate for Metropolitan police			134,706 06	
BOARD OF HEALTH.				
Sanitary expenses	15,280 84			
Collecting and removing garbage	12,081 00			
Aggregate for board of health			27,361 84	
PUBLIC SCHOOLS OF THE DISTRICT.				
Washington public schools:				
Compensation of superintendent, teachers, and janitors	135,511 98			
Contingent expenses	8,120 52			
Fuel	4,318 56			
Repairs to buildings	10,993 22			
Furniture	186 50			
Erection of buildings	7,376 23			
Insurance on buildings and furniture	773 22			
Rent of buildings	18,603 98			
Total for Washington schools		185,884 21		
Georgetown public schools:				
Compensation of superintendent, teachers, and janitors	14,862 43			
Contingent expenses	869 63			
Fuel	719 00			
Repairs to buildings	565 08			
Insurance on buildings and furniture	230 00			
Total for Georgetown schools		17,246 14		
County public schools:				
Compensation of superintendent, teachers, and janitors	27,422 45			
Contingent expenses	1,385 18			
Repairs to buildings	4,361 58			
Rent of buildings	33 33			
Insurance on buildings and furniture	569 98			
Fuel	731 06			
Total for county schools		34,503 58		
Colored public schools:				
Compensation of superintendent, teachers, and janitors	66,231 25			

APPENDIX B.—*Statement showing the amount expended, &c.*—Continued.

Title of account.	Detail.	Total.	Aggregate.	Grand aggregate.
Colored public schools—Continued.				
Contingent expenses, including repairs to buildings	$7,444 57			
Fuel	2,113 30			
Furniture	1,113 00			
Erection John F. Cook building	18,300 20			
Insurance on buildings, &c	457 75			
Rent of buildings	1,913 21			
Total for colored schools		$97,573 28		
Aggregate for public schools			$335,207 21	
FIRE DEPARTMENT AND ALARM.				
Fire department:				
Compensation of officers and members	49,391 67			
Contingent expenses	27,447 71			
Repairs to engine-houses	966 53			
Fuel	330 72			
Purchase of horses	2,025 00			
Repairs to apparatus	6,784 00			
Total for fire department		86,945 63		
Fire alarm:				
Compensation of employés	3,575 00			
Contingent expenses	2,361 12			
Total for fire alarm		5,936 12		
Aggregate for fire department, &c			92,881 75	
CHARITIES AND CORRECTIONS.				
Washington asylum:				
Compensation of employés	6,553 34			
Contingent expenses	25,521 45			
Fuel	893 11			
Insurance	80 00			
Total for Washington asylum		33,047 90		
Georgetown almshouse:				
Support of paupers	1,539 40			
Repairs to buildings	11 25			
Insurance on building	56 00			
Total for Georgetown almshouse		1,606 65		
Police court:				
Compensation of employés	9,687 01			
Contingent expenses, including witness fees	1,172 32			
Rent of building	1,683 33			
Marshal's fees	1,817 00			
Total for police court		14,359 66		
Sundries:				
Insane asylum, treatment of insane paupers at	7,051 68			
Transportation of paupers	1,480 32			
Payments to charitable institutions	10,125 00			
Reform School, support of	15,121 84			
Relief of poor, act of Congress of February 5, 1877	20,000 00			
Conveyance of prisoners to workhouse	300 00			
Total for sundries		54,078 84		
Aggregate for charities, &c			103,093 05	
SINKING-FUND AND INTEREST.				
Interest on District bonds	449,918 47			
Interest on bonds and stock of the late corporation of Washington	63,581 50			
Interest on bonds and stock of the late corporation of Georgetown	15,405 02			
Interest on water-certificates	13,308 00			
Total for interest		542,212 99		
Redemption of county-school bonds	1,950 00			
Redemption of water-stock	15,295 50			
Redemption of 8 per cent. water-certificates	166,262 15			

APPENDIX B.—*Statement showing the amount expended, &c.*—Continued.

Title of account.	Detail.	Total.	Aggregate.	Grand aggregate.
SINKING-FUND AND INTEREST—Continued.				
Redemption 6 per cent. stock late corporation Washington	$2 00			
Total for redemption		$183,509 65		
Aggregate for redemption and interest			$725,722 64	
MARKETS.				
Eastern and Northeastern markets:				
Compensation of market-master	1,698 48			
Contingent expenses	727 64			
Total for above markets		2,426 12		
Northern market:				
Compensation of market-master	1,505 17			
Contingent expenses	422 14			
Total for Northern market		1,927 31		
Western Market:				
Compensation of market-master	1,066 01			
Contingent expenses	520 43			
Total for Western market		1,586 44		
Georgetown market:				
Compensation of market-master	1,087 59			
Contingent expenses	442 69			
Insurance	75 00			
Total for Georgetown market		1,605 28		
Sundries:				
Rent of market site	872 54			
Erection of new market	10,893 73			
Total for sundries		11,766 27		
Aggregate for markets			19,311 42	
STREET-LAMPS AND GAS.				
Washington:				
Lighting, extinguishing, and for gas	102,500 01			
Repairs to street-lamps	226 99			
Erection of street-lamps	3,141 19			
Total for Washington lamps, &c		105,868 19		
Georgetown:				
Gas used in street-lamps	9,634 41			
Repairs to street-lamps	258 94			
Erection of street-lamps	502 55			
Contingent expenses	41 03			
Compensation of lamp-lighters	1,760 00			
Total for Georgetown lamps		12,196 93		
Aggregate for street-lamps and gas			118,065 12	
IMPROVEMENTS AND REPAIRS.				
Compensation of levelers, axman, laborers, &c., engineer's department	62,587 76			
Compensation of supervisors of roads and employés	5,890 02			
Payments to contractors and for material, &c	305,708 06			
Paving Pennsylvania avenue	101,291 04			
Repairs to pumps	323 08			
Parking commission, expenses of	28,380 09			
Cleaning streets and alleys	33,210 09			
Aggregate for improvements and repairs			537,390 14	
HAY-SCALES.				
Erection of hay-scales	175 00			
Repairs to hay-scales	15 00			
Expenses sale of hay-scales	9 50			
Aggregate for hay-scales			199 50	

APPENDIX B.—*Statement showing the amount expended, &c.*—Continued.

Title of account.	Detail.	Total.	Aggregate.	Grand aggregate.
MISCELLANEOUS.				
Books for register of wills' office	$117 00			
Auctioneer's fees, sale of real estate	283 38			
Advertising property in arrears for taxes	4,232 50			
Printing checks on United States Treasury	313 60			
Expenses condemning alleys	51 11			
Rent of property-yards	385 20			
Payment of judgments and interest	1,941 30			
Payment of employés late board of public works	150 00			
Preparing building regulations	1,245 00			
Payment of principal and interest of loan from Riggs & Co	151,360 34			
Transfers of real estate year 1876–'77	220 72			
Abatement of nuisances	163 00			
Refunding amount deposited by levelers for instruments	40 00			
Damages	160 85			
Payments on account of militia	15 50			
Removal of old jail and erection of work-house, under act of Congres January 20, 1877	11,895 87			
Plans for remodeling police-court building	70 25			
Plans for offal-depot	47 50			
Interest on Linthicum loan	3,200 00			
Aggregate for miscellaneous			$175,893 12	
SPECIAL ACCOUNTS.				
Redemption of tax-sale certificates	1,410 34			
Redemption of tax-lien certificates	2,178 57			
Redemption of special-tax scrip	18,932 93			
Redemption of Pennsylvania avenue scrip (act of July 8, 1870)	594 68			
Redemption of Pennsylvania avenue certificates (act of July 19, 1876)	476 48			
Payments from special tax for repaving Pennsylvania avenue, under act approved July 19, 1876	24,540 92			
Refunding erroneously-paid taxes, licenses, &c	1,372 14			
Total for special accounts			49,506 06	
Grand aggregate of expenditures				$2,541,659 17

JOHN T. VINSON.

AUDITOR AND COMPTROLLER'S OFFICE, DISTRICT OF COLUMBIA,
November 10, 1877.

APPENDIX D.

Statement of the estimated expenses of the auditor and comptroller's office, for the year ending October 31, 1878, *viz:*

Salary of auditor and comptroller	$3,000 00
Salary of 1 clerk	2,160 00
Salary of 1 bookkeeper	1,800 00
Salary of 1 clerk	1,500 00
Salary of 3 clerks, at $1,400	4,200 00
Salary of 3 clerks, at $1,200	3,600 00
Salary of 2 clerks, at $3 per diem	1,872 00
Salary of 1 clerk, at $1.50 per diem	468 00
Contingent and incidental expenses	600 00
Total estimated expenses	19,200 00

JOHN T. VINSON,
Auditor and Comptroller of District Columbia.

C.—REPORT OF THE TREASURER.

To the Commissioners of the District of Columbia :

TREASURER'S OFFICE, DISTRICT OF COLUMBIA,
November 7, 1877.

GENTLEMEN: I have the honor to make the following statement of all moneys received in this office from December 1, 1876, to October 31, 1877:

From building-permits		$3,000 00
From school-fund interest one year (say $60,385)		3,623 08
From tax-collector		1,577,616 68
From Western market		8,553 98
From Northern market		6,178 58
From Eastern market		2,851 00
From water-registrar		94,209 73
From Georgetown market		1,614 83
From Washington Market Company		7,500 00
From district attorney		4,319 12
From insurance (John F. Cook building)		7,500 00
From advertising special assessments		584 62
From sales of sand and old materials		273 02
From Linthicum Institute and Peabody Library		129 56
From fire-alarm telegraph (Deaf and Dumb Asylum)		397 85
From Marshal Sharp, fines, &c		1,053 50
From Tiber Valley bid, forfeited (received through collector)		200 00
From street excavations		51 72
From sale of K-street market sheds		99 50
From Commissioners, for notary fees and fine		12 26
From transportation of paupers, refunded		119 80
From rent of hay-scales		2,368 50
From rent of wharves, &c		532 00
From police court		16,895 64
From bills receivable (account Eastern market)		90 05
From bills receivable, W. W. Rapley account, wharf-rent		563 73
		1,740,338 75
From United States Government, appropriation for old jail	$14,000	
From United States Government, appropriation for poor-fund	20,000	
From United States Government, appropriation for public schools	75,000	
From United States Government, appropriation for Tiber Valley	20,000	
From United States Government, appropriation for general purposes	250,000	
From United States Government, appropriation for advance for interest, &c	400,000	
From United States Government, appropriation for advance for interest reimbursement for coin	19,800	
		798,800 00
Total from all sources		2,539,138 75

From which amount the following items must be deducted, as they form no part of the actual receipts of the District government, viz:

Reimbursement for coin	$19,800 00	
Repaving Pennsylvania avenue	28,212 98	
		48,012 98
Making total actual receipts		2,491,125 77

There have been issued from this office 2,100 licenses from December 1, 1876, to October 31, 1877.

During the same time 13,060 warrants have been countersigned by the treasurer, and the daily receipts have been deposited by him in the United States Treasury, as required by law, to the credit of the Commissioners of the District.

The estimated expenses of this office for the year are as follows:

Salary of treasurer	$2,400 00	
Salary of license-clerk	1,200 00	
Salary of messenger	900 00	
Contingent expenses, books and blanks	300 00	
		4,800 00

Respectfully submitted.

ROB. P. DODGE,
Treasurer District of Columbia.

NOVEMBER 10, 1877.

D.—REPORT OF THE COMMISSIONERS OF THE SINKING-FUND.

OFFICE OF THE COMMISSIONERS OF THE SINKING-FUND,
Washington, November 1, 1877.

GENTLEMEN: In response to your request of the 23d ultimo, to present a statement of the transactions of this board since December 1, 1876, together with any recommendations we may think proper to make with the object of increasing its future efficiency, we submit the following report:

The funded debt of the District of Columbia, as stated in our last report, was		$8,405,576 21
This has since been reduced by redemption of bonds and stocks as follows:		
Market-stock, 7 per cent. currency-bonds	$1,600 00	
Water-stock, 7 per cent. currency-bonds	15,000 00	
County school, 7 per cent. currency-bonds	1,900 00	
Ten-year (Bowen) 6 per cent. currency-bonds	5,750 00	
Five-year (Emery) $7\frac{3}{10}$ per cent. currency-bonds	650 00	
Corporation of Washington, canal-stock	800 00	
Corporation of Georgetown, general stock	184 25	
		25,884 25
Leaving outstanding at this time		8,379,691 96
The 3.65 bonds guaranteed by the United States remain as stated in our last report		13,743,250 00
Of which there have been registered		5,258,000 00
Leaving coupon-bonds outstanding to the amount of		8,485,250 00

The interest on these bonds has been paid by the Treasurer of the United States as required by law.

Of the special-improvement 8 per cent. bonds secured by assessments on private property there was outstanding at the date of our last report	$998,700 00
Since received in payment of special taxes	192,060 00
Leaving the amount still outstanding	$806,100 00

Upon the bonds thus received and canceled interest was allowed to the date of cancellation. No interest, however, has been paid on any portion of those outstanding since July, 1874, except so far as interest-coupons have been received in payment of special assessments at their face value.

Of the water-fund certificates issued under act of assembly of June 23, 1873, amounting to	$166,350 00
There has been redeemed	166 300 00
Leaving outstanding a single certificate of	50 00

which has not yet been presented for redemption.

The annexed comparative exhibit, A, shows the condition of the funded debt December 1, 1874, and November 1, 1877, from an inspection of which there will be found to have been an aggregate reduction therein of $503,788.22.

Exhibit B gives the dates of maturity of the several classes of bonds making up the aggregate of the funded debt.

Exhibit C is a statement showing the amount of securities canceled by us and sent to the Treasury to be destroyed by burning, as required by law, since our last report.

Exhibit D is an estimate of the amount required to pay interest on the funded debt for the fiscal year ending June 30, 1879, showing a reduction in the amount needed of $1,702.56 as compared with that for the current year. This reduction is caused by the redemption of bonds upon which interest ceases to accrue.

Exhibit E is an estimate of funds required for the expense of this office for next year.

Exhibit F is an estimate of amounts required for redemption of bonds falling due prior to July 1, 1879, amounting to $281,750, for which provision should now be made.

With the exception of the bonds named in this last exhibit no others mature before 1891, except $20,000, which will fall due in 1881, and $20,000 in September, 1884. Suitable provision, however, should be made for a sinking-fund to be used for redemption of outstanding obligations, and an appropriation of $100,000 is recommended to be applied during the ensuing year in purchasing such bonds as can be most advantageously secured.

Again renewing recommendations heretofore made, that the duties of this commission be transferred, by appropriate legislation, to the Treasury Department, I have the honor to remain,

Very respectfully, your obedient servant,

LEWIS J. DAVIS, *President*.

The Hon. COMMISSIONERS OF THE DISTRICT OF COLMUBIA.

D.—EXHIBIT A.

Comparative exhibit of the funded indebtedness of the District of Columbia and of the late corporations of Washington and Georgetown, December 1, 1874, *and November* 1, 1877.

Kind of bonds.	Outstanding, as per exhibit, December 1, 1874.	Since retired.	Outstanding, November 1, 1877.
Of the District of Columbia—			
Permanent-improvement coupon-bonds, issued under an act of assembly approved July 10, 1871; 6 per cent. gold interest	$4,000,000 00	.....	$4,000,000 00
Permanent-improvement coupon-bonds, issued under acts of assembly approved June 23 and 25, 1873; 7 per cent. currency interest	790,000 00	120,000 00	670,000 00
Chicago-relief coupon-bonds, issued under an act of assembly approved October 18, 1871; 7 per cent. currency interest.	100,000 00	100,000 00	.....
Market-stock coupon-bonds, issued under an act of assembly approved August 23, 1871; 7 per cent. currency interest	152,400 00	1,600 00	150,800 00
Water-stock coupon-bonds, issued under acts of assembly approved July 20, 1871, and June 26, 1873; 7 per per cent. currency interest	485,000 00	54,000 00	431,000 00
County-school coupon-bonds, issued under an act of assembly approved June 26, 1873; 7 per cent. currency interest	18,200 00	18,150 00	50 00
Making	5,545,600 00	293,750 00	5,251,850 00

Comparative exhibit of the funded indebtedness of the District of Columbia, &c.—Continued.

Kind of bonds.	Outstanding, as per exhibit, December 1, 1874.	Since retired.	Outstanding, November 1, 1877.
Of the late corporation of Washington—			
Funding-loan coupon-bonds, issued under an act of Congress approved May 8, 1872; 6 per cent. gold interest.	$1,150,000 00	.....	$1,150,000 00
Funding-loan coupon-bonds, issued under an act of assembly approved June 20, 1872; 6 per cent. gold interest	1,650,000 00	$990,000 00	660,000 00
Ten-year (Bowen) coupon-bonds, issued under an act of Congress approved July 27, 1868; 6 per cent. currency interest	351,400 00	72,150 00	279,250 00
Three-year (Emery) coupon-bonds, issued under an act of Congress approved July 7, 1870; 7 3-10 per cent. currency interest	3,100 00	3,000 00	100 00
Five-year (Emery) coupon-bonds, issued under an act of Congress approved July 15, 1870; 7 3-10 per cent. currency interest	192,450 00	192,450 00	.....
Registered stock, act August 19, 1828; 5 per cent. currency interest	54,807 00	1,807 00	53,000 00
Registered stock, act October 25, 1843; 6 per cent. currency interest	685,517 22	517 22	685,000 00
Registered canal-stock, act April 14, 1847; 6 per cent. currency interest	48,800 00	800 00	48,000 00
Registered water-stock, act June 2, 1859; 6 per cent. currency interest	85,757 00	85,757 00	.....
Making	4,221,831 22	1,346,481 22	2,875,350 00
Of the late corporation of Georgetown—			
Steam force-pump coupon-bonds, issued under act of assembly approved June 26, 1873; 7 3-10 per cent. currency interest	8,500 00	6,000 00	2,500 00
Registered general stock; 6 per cent. currency interest	180,444 75	1,257 00	179,187 75
Registered general stock; 8 per cent. currency interest	20,000 00	.....	20,000 00
Registered bounty-stock; 6 per cent. currency interest	20,000 00	.....	20,000 00
Registered market-stock; 6 per cent. currency interest	30,804 21	.....	30,804 21
Making	259,784 96	7,257 00	252,491 96
RECAPITULATION OF FUNDED DEBT.			
District of Columbia	5,545,600 00	293,750 00	5,251,850 00
Corporation of Washington	4,221,831 22	1,346,481 22	2,875,350 00
Corporation of Georgetown	259,748 96	7,257 00	252,491 96
	10,027,180 18	1,647,488 22	8,379,691 96
Amount of debt, December 1, 1874 (as above)	.....	10,027,180 18	.....
Less bonds then on hand	.....	1,143,700 00	.....
			8,883,480 18
Amount of debt, November 1, 1877 (as above)	.....	.....	8,379,691 96
Making a reduction of	.....	.....	503,788 22

The commissioners of the sinking-fund have in hand the following assets, which, if disposed of and applied, would still further reduce the amount of debt, to wit:

Chesapeake and Ohio Canal bonds, par value	$75,000 00
Washington and Alexandria Railroad bonds (in litigation) par value	59,000 00
Amount of fifty-year 3.65 bonds, issued under an act of Congress approved June 20, 1874, to November 1, 1877	$13,743,250

MOSES KELLY, *Treasurer.*

OFFICE OF THE COMMISSIONERS OF THE SINKING-FUND,
Washington, November 1, 1877.

D.—Exhibit B.

Statement giving the dates of maturity of the several classes of bonds making up the aggregate of the funded debt of the District of Columbia, including the late corporations of Washington and Georgetown.

Description of bonds.	Date of maturity.	Interest.				Amount.
		Rate.	Currency or coin.	Payable.	When due.	
Registered stock of the corporation of Washington	At pleasure	5 per cent	Currency	Quarterly	Jan. 1, April 1, July 1, Oct. 1	$53,000 00
Do	do	6 per cent	do	do	do	685,000 00
Registered canal-stock of the corporation of Washington	do	do	do	Semi-annually	Jan. 1 and July 1	48,000 00
Registered general stock of the corporation of Georgetown	do	do	do	Quarterly	Jan. 1, April 1, July 1, Oct. 1	179,187 75
Registered market-stock of the corporation of Georgetown	do	do	do	do	do	30,804 21
Ten-year (Bowen) bonds of the corporation of Washington	Jan. 1, 1879	do	do	Semi-annually	Jan. 1 and July 1	279,250 00
Steam force-pump bonds of the corporation of Georgetown	Mar. 1, 1879	$7\frac{3}{10}$ per cent	do	do	do	2,500 00
Registered general stock of the corporation of Georgetown	July 1, 1881	8 per cent	do	Quarterly	Jan. 1, April 1, July 1, Oct. 1	20,000 00
Registered bounty-stock of the corporation of Georgetown	Sept. 24, 1884	6 per cent	do	do	do	20,000 00
Permanent-improvement bonds of the District of Columbia	July 1, 1891	do	Coin	Semi-annually	Jan. 1 and July 1	4,000,000 00
Do	do	7 per cent	Currency	do	do	670,000 00
Market-stock bonds of the District of Columbia	July 1, 1892	do	do	do	do	150,800 00
Funding-loan bonds of the corporation of Washington	do	6 per cent	Coin	do	do	1,150,000 00
Water-stock bonds of the District of Columbia	Oct. 1, 1901	7 per cent	Currency	do	do	431,000 00
Funding-loan bonds of the corporation of Washington	Nov. 1, 1902	6 per cent	Coin	do	May 1 and Nov. 1	660,000 00
Total						8,379,541 96

MOSES KELLY, *Treasurer.*

Office of the Commissioners of the Sinking-Fund,
Washington, November 1, 1877.

D.—EXHIBIT C.

Statement showing the amount of securities sent to the Treasury for destruction by burning since last annual report.

Description.	Amount.	Coupons attached to bonds.
Ten-year (Bowen) bonds	$5,750 00	$690 00
Five-year (Emery) bonds	650 00	.....
Water-stock bonds	15,000 00	25,725 00
County-school bonds	1,900 00	7 00
Market-stock bonds	1,600 00	1,736 00
Eight per cent. special-improvement bonds	192,450 00	3,860 00
Water-fund certificates and last six months' interest	172,952 00	.....
Coupons funding-loan bonds (assembly)	24,087 00	.....
Coupons water-fund certificates	6,816 00	.....
Coupons ten-year (Bowen) bonds	17,221 50	.....
Coupons market-stock bonds	3,722 25	.....
Coupons eight per cent. special-improvement bonds	27,934 00	.....
Coupons county-school bonds	126 00	.....
Coupons steam force-pump bonds	182 50	.....
Coupons funding-loan bonds (Congress)	68,601 00	.....
Coupons permanent-improvement bonds (currency)	46,665 50	.....
Coupons permanent improvement bonds (coin)	239,731 50	.....
Coupons water-stock bonds	31,115 00	.....
Total	856,504 25	32,018 00

OFFICE OF THE COMMISSIONERS OF THE SINKING-FUND,
Washington, November 10, 1877.

D.—EXHIBIT D.

Estimate of funds required to pay interest on the funded indebtedness of the District of Columbia (not including the fifty-year bonds) for the fiscal year ending June 30, 1879.

For interest on	$4,000,000 00	6 per cent. (gold) bonds, issued under act of assembly July 10, 1871	$240,000 00
For interest on	670,000 00	7 per cent. (currency) bonds, issued under acts of assembly June 23 and 25, 1873	46,900 00
For interest on	150,800 00	7 per cent. (currency) bonds, issued under act of assembly August 23, 1871	10,556 00
For interest on	431,000 00	7 per cent. (currency) bonds, issued under acts of assembly July 25, 1871, and June 26, 1873	30,170 00
For interest on	1,150,000 00	6 per cent. (gold) bonds, issued under act of Congress May 8, 1872	69,000 00
For interest on	660,000 00	6 per cent. (gold) bonds, issued under act of assembly June 20, 1872	39,600 00
For interest on	279,250 00	6 per cent. (currency) bonds, issued under act of Congress July 27, 1868	16,755 00
For interest on	53,000 00	5 per cent. (currency) registered quarterly stock of the late corporation of Washington	2,650 00
For interest on	685,000 00	6 per cent. (currency) registered quarterly stock of the late corporation of Washington	41,100 00
For interest on	48,000 00	6 per cent. (currency) registered canal-stock of the late corporation of Washington	2,880 00
For interest on	2,500 00	$7\frac{3}{10}$ per cent. (currency) bonds, issued under act of assembly June 26, 1873	182 50
For interest on	179,187 75	6 per cent. (currency) registered quarterly stock of the late corporation of Georgetown	10,751 26
For interest on	20,000 00	6 per cent. (currency) registered quarterly stock of the late corporation of Georgetown	1,200 00

For interest on	$20,000 00	8 per cent. (currency) registered quarterly stock of the late corporation of Georgetown	$1,600 00
For interest on	30,804 21	6 per cent. (currency) registered quarterly stock of the late corporation of Georgetown	1,848 25
	8,379,541 96		515,193 01

Amount of last year's estimate on this account	516,895 57
Amount of present year's estimate, as above	515,193 01
Showing a reduction in interest of	1,702 56

OFFICE OF THE COMMISSIONERS OF THE SINKING-FUND,
Washington, D. C., November 1, 1877.

D.—EXHIBIT E.

OFFICE OF THE COMMISSIONERS OF THE SINKING-FUND,
Washington, D. C., November 1, 1877.

Estimate for the expenses of this office for the fiscal year ending June 30, 1879.

For pay of treasurer	$1,000 00
For pay of clerks	2,400 00
For contingent expenses, including rent of office	2,000 00
Total	5,400 00

D.—EXHIBIT F.

OFFICE OF THE COMMISSIONERS OF THE SINKING-FUND,
Washington, D. C., November 1, 1877.

Estimate of amount required for redemption of bonds falling due prior to July 1, 1879.

Description of bonds.	Amount.
Corporation of Washington 10-year bonds issued under act of Congress approved July 27, 1868	$277,250 00
Georgetown steam force-pump bonds issued under act of assembly approved June 26, 1873	2,500 00
Total	281,750 00

D.—EXHIBIT G.

Ledger statement, October 31, 1877.

OFFICE OF THE COMMISSIONERS OF THE SINKING-FUND OF THE DISTRICT OF COLUMBIA.

DR.		CR.	
National Metropolitan Bank	$9,392 65	District of Columbia	$196,109 75
National Metropolitan Bank, coin-account	17,751 00	Currency interest due on stocks and bonds, payable at this office	7,629 44
National Metropolitan Bank, water-fund	714 69	Currency interest due on stocks and bonds, payable at Georgetown, D. C	5,401 96
Farmers and Mechanics' National Bank of Georgetown, D. C	5,401 96	Coin interest due on bonds payable at this office	17,961 00
First National Bank of New York, currency-account	40,278 00	Coin interest due on bonds payable at First National Bank, New York	157,657 50
First National Bank of New York, coin-account	157,657 50	Currency interest due on bonds payable at First National Bank, New York	40,278 00
District of Columbia, funded debt	5,251,800 00	Stocks and bonds embraced in the District of Columbia; funded debt outstanding	5,251,800 00
Corporation of Washington, funded debt	2,875,350 00	Stocks and bonds embraced in the corporation of Washington; funded debt outstanding	2,875,350 00
Corporation of Georgetown, funded debt	252,491 96	Stocks and bonds embraced in the corporation of Georgetown; funded debt outstanding	252,491 96
Washington and Alexandria Railroad bonds	59,000 00	District of Columbia county school bond outstanding; fund for redemption provided	50 00
Interest paid on Washington and Alexandria Railroad bonds	5,681 33	Contingent fund	795 51
Chesapeake and Ohio Canal bonds	75,000 00	Interest allowed on special-improvement tax-lien certificates redeemed	57,567 70
Eight per cent. special-improvement bonds received and canceled	1,193,900 00	Interest on water-fund certificates	664 69
Interest on 8 per cent. special-improvement bonds, paid from this office	57,059 39	Water-fund certificate outstanding	50 00
Interest on 8 per cent. special-improvement bonds, allowed on bonds received for special taxes	119,035 46	Fund for payment of indebtedness of corporation of Washington	367 32
Special-improvement tax-lien certificates	703,006 41	Fund for payment of indebtedness of corporation of Georgetown	750 00
Drawbacks allowed on tax-lien certificates	14,898 00	Discount on stocks and bonds purchased	221 35
Certificates of the board of audit	13,742,012 17	Special-improvement tax collected	979,092 12
Cash received from issue of 3.65 per cent. bonds	1,722 55	Special-improvement tax-assessments (tax-liens issued)	1,068,338 66
Cash received on account of special-improvement tax	74,158 61	Parts of certificates of the board of audit relinquished	484 72
		District of Columbia 3.65 per cent. coupon-bonds	13,743,250 00
Total	24,656,311 68	Total	24,656,311 68

E.—REPORT OF THE COLLECTOR.

OFFICE OF THE COLLECTOR OF TAXES,
DISTRICT OF COLUMBIA,
Washington, November 1, 1877.

GENTLEMEN: I have the honor to submit the accompanying statement showing in detail the receipts of this office and transfers of stock of the late corporations of Washington and Georgetown since date of last annual report, December 1, 1876, embracing a period of eleven months, with estimate of amount required for support of the office of the collector for the fiscal year ending June 30, 1879.

Receipts.

From general taxes for Washington City for year ending June 30, 1877	$942,886 42	
From general taxes for Georgetown for year ending June 30, 1877	65,135 14	
From general taxes for Washington County for year ending June 30, 1877	84,433 78	
		$1,092,455 34

From personal taxes for Washington for year ending June 30, 1877	$141,564 17	
From personal taxes for Georgetown for year ending June 30, 1877	17,355 00	
From personal taxes for Washington County for year ending June 30, 1877	5,393 55	
		164,312 72
From general taxes for Washington City for year ending June 30, 1876	47,890 00	
From general taxes for Georgetown for year ending June 30, 1876	2,496 75	
From general taxes for Washington County for year ending June 30, 1876	4,523 95	
		54,910 70
From general taxes for Washington City for year ending June 30, 1875	51,054 19	
From general taxes for Georgetown for year ending June 30, 1875	4,736 99	
From general taxes for Washington County for year ending June 30, 1875	2,312 03	
		58,103 21
From general taxes for Washington City for year ending June 30, 1874	24,548 81	
From general taxes for Georgetown for year ending June 30, 1874	2,599 54	
From general taxes for Washington County for year ending June 30, 1874	2,130 59	
		29,278 94
From redemption of tax-lien certificates for year ending June 30, 1873	10,235 87	
From redemption of tax-lien certificates for year ending June 30, 1872	1 004 34	
		11,240 21
From licenses, District of Columbia		91,983 03
From arrears, Washington City		9,457 63
From arrears, levy court		1,238 00
From special taxes:		
Corporation of Washington		13,979 84
Paving Pennsylvania avenue (old assessment, act of Congress approved July 8, 1870)		645 38
Paving Pennsylvania avenue (new assessment, act of Congress approved July 19, 1876)		28,212 98
From water-main (advertised)		12,137 59
From permit fees		1,346 50
From advertisement, 1875		4,012 95
From advertisement, 1876		1,147 79
From advertisement, 1877		1,001 09
From redemption tax-lien sales		435 30
From redemption sale, June 13, 1876		825 98
From Western Market		97 93
From Georgetown market		100 00
From tax-sale, August 14, 1877		693 57
From forfeit on bid of Charles N. Eslin & Co. for improvement Tiber Valley		200 00
Total amount received		1,577,816 68

The following is a statement of the transfers of stock of the late corporations of Washington and Georgetown, made in accordance with an act approved August 23, 1871:

WASHINGTON STOCK.

Six per centum corporation.

1876.			
Dec.	5.	Mason, John T. R., in trust from Eliza T. Berry	$546 41
	15.	Beare, Eliza J., from Lewis Johnson & Co., by attorney	300 00
1877.			
Jan.	18.	Fenwick, Mary A., from Mary E. Stewart	1,000 00
	26.	Moore, F. L., executor, from John Marbury, trustee	1,500 00

1877.			
Jan.	26.	Moore F. L., John Marbury, N. W. Brown, trustees, from F. L. Moore, executor	1,500 00
Feb.	7.	Carrico, Peter, from Susanna Carrico	200 00
	8.	James, Charles A., from Peter Carrico, by attorney	200 00
	23.	Butler, Mrs. A. E., from Henry F. Davis	300 00
	23.	Hill, Stephen P., from Henry F. Davis	250 00
March	6.	Elliott, Rev. John H., from J. T. Evans, by attorney	400 00
	6.	Johnson, Lewis, & Co., from J. T. Evans, by attorney	1,600 00
	6.	Chase, Fredrick, from Lewis Johnson & Co	750 00
	13.	Hill, Rev. Stephen P., from Lewis Johnson & Co	500 00
	15.	Drane, Francis P., from Francis P. Draine, esq	1,100 00
April	3.	McPherson, John D., from Lewis Johnson & Co., attorneys	350 00
	5.	Mohun, Francis, administrator, from Francis Mohun, administrator	2,100 00
	6.	Johnson, Lewis & Co., from Francis Mohun, administrator	2,100 00
	7.	McPherson, John D., from Lewis Johnson & Co., by attorney	2,100 00
May	2.	Pool, S. M., from Mary A. Degges	500 00
	18.	Middleton, D. W., from Samuel Langley, trustee	200 00
	22.	Callan Laurence, from Charles A. Upperman	550 00
	22.	Middleton, D. W., from Charles A. Upperman	1,050 00
	22.	Middleton, D. W., from A. N. Markland	200 00
	28.	Harris, Mrs. Catharine, from Jane Von Essen, by attorney	1,325 00
	28.	James, Charles A., from Jane Von Essen, by attorney	175 00
June	14.	O'Day, Mary, from J. Guista, by attorney	1,600 00
	16.	Campbell, Peter, from George W. Balloch	100 00
July	16.	Watkins, Mary C., from John T. Evans, by attorney	1,400 00
	24.	Campbell, Peter, from Joseph Schwartz	100 00
Aug.	23.	Cox, Walter S., English, C. S., and Dodge, R. P., trustees, from Peter Campbell, by attorney	100 00
Sept.	25.	Jones, Laura M., from George W. Riggs, by attorney	150 00
Oct.	8.	Cox, Walter S., English, C. S., Dodge, R. P., in trust, from Jane Von Essen, by attorney	700 00
	20.	Davis, H. F., from M. E. Rodier	100 00
	23.	Cox, Walter S., English, C. S., and Dodge, R. P., in trust, from Susan P. Preston	150 00
	23.	Cox, Walter S., English, C. S., and Dodge, R. P., in trust, from Susan P. Preston	350 00
	25.	Carrico, Susanna, from James Carrico	200 00
	25.	Main, Nichol, from James Main	5,580 00
	25.	Campbell, Peter, from Peter F. Hornig	500 00

Five per centum corporation.

1877.			
March	8.	Chase, Frederick, from Charlotte Brinkerhoff, by attorney	470 00

Canal six per centum corporation.

1877.			
March	22.	Offley, Holmes E., from Jane Shillinglaw, by attorney.	300 00
	22.	Offley, Holmes E., trustee, from Jane Shillinglaw, by attorney	200 00
	20.	Cox, Walter S., English, C. S., and Dodge, R. P., trustees, from executors	500 00
	20.	Cox, Walter S., English, C. S., and Dodge, R. P., trustees, from executors	500 00
May	17.	McPherson, John D., from Holmes E. Offley, trustee	200 00
June	14.	Lyon, Samuel B., from J. Guista, attorney	750 00
Sept.	25.	Jones, Laura M. from George W. Riggs, attorney	50 00
		E. Warring, by attorney	100 00
	25.	Cox, Walter S., English, C. S. and Dodge, R. P., trustees from Mary	

GEORGETOWN STOCK.

Six per centum corporation.

1877.			
Jan.	17.	Marbury, William, from Mary Beall, executrix	400 00
		Marbury, William, from H. D. Cooke	460 00
March	22.	Prior, Sarah E., from S. E. Prior, by attorney	372 00
	22.	Prior, Sarah E., from S. E. Prior, by attorney	1,268 68
April	7.	Brooks, Mary, from Thomas Knowles	124 00
	25.	Peter, George, from Anna Warring	100 00
May	16.	Peter, Mrs. Roberta, from Elizabeth D. Lowery, attorney	1,100 00

1877.			
May	23.	Fowler, Mary E., from James C. Sidney, by attorney	$600 00
	23.	Green, Osceola C., from James C. Sidney, by attorney	687 50
	23.	Sidney, James C., from James C. Sidney, by attorney	1,000 00
June	2.	Cox, Walter S., C. S. English, and R. P. Dodge, trustees, from Margaret Edes, by attorney	250 00
	2.	Offley, John R., trustee, from Margaret Edes, by attorney	38 00
	5.	Scheller, Thomas K., from H. E. Offley and O. C. Green, by attorney	721 17
July	2.	Cox, Walter S., English, C. S., and Dodge, R. P., trustees, from Margaret Edes, by attorney	250 00
		Cox, Walter S., English, C. S., and Dodge, R. P., trustees, from Margaret Edes, by attorney	250 00
	5.	Brown, S. Thomas, from Jane Von Essen, by attorney	1,200 00
Aug.	7.	Johnson, Lewis, & Co., from Francis S. Walsh, administrator, by attorney	1,000 00
	8.	Cox, Walter S., English, C. S., and R. P. Dodge, trustees, from Lewis Johnson & Co., by attorney	870 00
		Cox, Walter S., English, C. S., and R. P. Dodge, trustees, from Lewis Johnson & Co., by attorney	130 00
	23.	Offley, Holmes E., from Mary Mines, by attorney	750 00
		Laird, William, trustee, from Mary Mines, by attorney	1,200 00
Sept.	25.	Cox, Walter S., English, C. S., and R. P. Dodge, trustees, from Holmes E. Offley, by attorney	750 00
Oct.	3.	Magruder, Margaret E., from M. E. Magruder, administratrix	2,000 00
	25.	Carrico, Mrs. Susannah, from James Carrico, by trustee	200 00
		Carrico, Mrs. Susannah, from Mary H. Merilion and James Carrico.	300 00

Eight per centum corporation.

1877.			
Jan.	26.	Moore, Frederick L., from Mary B. Brooks, by executor	500 00

Market-house six per centum.

May	5.	Riley, John C., and Mary A., executors, from James C. Sidney, by attorney	1,000 00
	5.	Marbury, William, from James C. Sidney, by attorney	1,207 95
Oct.	3.	Magruder, Mrs. Mary E., from M. E. Magruder, administratrix	2,002 26

Bounty six per centum.

Oct.	8.	Auld, David, from Jane Von Essen, by attorney	1,000 00

RECAPITULATION.

Washington stock.

Six per cent	$31,826 41	
Five per cent	470 00	
Canal six per cent	2,600 00	
		34,496 41

Georgetown stock.

Six per cent	16,021 35	
Eight per cent	500 00	
Market-house six per cent	4,210 21	
Bounty	1,000 00	
		21,731 56
Total transfer of stock		56,227 97

Estimate of amount required for support of office for fiscal year ending June 30, 1879.

Salaries:		
Collector	$4,000	
One clerk	1,700	
One clerk	1,200	
One clerk	1,000	
One clerk	960	
Messenger	480	
Temporary employés	1,000	
		$10,340
Other expenses:		
Stationery	2,000	
Contingent	1,000	
		3,000
Total		13,340

Of the amount, $1,577,816.68, collected by the District of Columbia through this office, the following items of amounts were received on account of trust funds, and are subject to the demands of the parties or commissions interested :

Redemption of tax-lien certificates, as per account of auditor	$2,968	12
Arrears of tax, corporation of Washington (subject to sinking-fund commission)	9,457	63
Arrears of tax, levy court of Washington (subject to sinking-fund commission)	1,238	00
Special taxes, corporation of Washington, payable to holders of scrip	13,979	84
Paving Pennsylvania avenue (new assessment), payable to contractor or assignee	28,212	98
Paving Pennsylvania avenue (old assessment), payable to contractor or assignee	645	38
Redemptions, tax-lien sale	435	30
Redemption, sales June 13, 1876	825	98
	57 763	23

Leaving a balance available to the District of Columbia of $1,520,053.45.

Of the levy for year ending June 30, 1877, for real estate, about seventy-five per centum has been received, which, considering the monetary condition affecting all communities, especially a non-commercial and non-producing community, is a very fair amount.

Of the levy predicated on personal property, while gratifying as to amount collected, has been attended with embarrassment, and by reason of the mode (of distraint) prescribed by the collection of the balance, promises much greater.

A large share (seventy-five per centum) of the balance is due from the wholesale merchants and bankers et al., many of whom have paid a license-tax on the same capital invested down to November 1, 1876; yet, by the levy for year commencing July 1, 1876, are again taxed for portion, four months on the same capital, being double tax for the period indicated. Proprietors of livery-stables are also portion of the class of debtors in arrear for this tax, paying a license-tax of two dollars per stall for each stall in said stables; for each hackney-carriage or other vehicle sent to the public stands an annual tax of ten dollars; then the personal-tax levy on the same horses, hackney-carriages, and vehicles, and all other necessary equipments, making, with the annual tax on the real estate occupied, a quadruplicate tax on the capital invested by said business men of our community—and so on, might be enumerated this two and three fold tax which we are called on to enforce by distraint. If said tax is to be maintained, some legislation equalizing or adjusting the same should be asked, as it does not bear in equal proportion on business which it greatly oppresses.

After the close of our tax-sale account for general taxes, the latter part of August, my attention was given to the arrearage on personal-tax account, to which the attention of the office had been cited by the Commissioners, and to each person in whose name personal property was assessed and remaining unpaid on our books a bill was rendered notifying them that it was the duty of the collector under the law in cases of default to distrain sufficient goods and chattels to pay said tax and costs, requesting each to make immediate payment, in order to save disagreeable consequences. To this notice there was a very general response, so out of a possible amount of about $200,000 derivable from this source the exhibit of receipts above shows there was credited to this amount $164,312.72, a percentage of receipts equaling, if not exceeding the percentage of receipts of taxes on real-estate account. Shortly after adddressing the above-stated notices to persons in defaultfor personal tax

this office was directed to refer for instructions, requested as to making distraint, to the attorney for the District of Columbia. The instructions requested were received October 31, too late to enter on said duty, as notice had been given the public that the books for taxes for year ending June 30, 1878, were in readiness, and if the first half was not paid before the first day of December, a penalty of two per centum would be added on the first half of said tax. With the collection of this tax the office is so engaged as not to be able to enter on the duty of distraint for arrears on account of personal tax till about the first week of December.

The commission appointed by the act of Congress, authorizing the repavement of Pennsylvania avenue, approved July 19, 1876, have reported the fulfillment of the duties imposed by said act in having caused said avenue to be repaved from the northwest gate of the Capitol grounds to and including the crossing of Fifteenth street west, in the manner provided in said act, and completed to their satisfaction, at a total cost of $318,739.43.

The Commissioners of the District of Columbia, conformably with the provisions of said act, and to the apportionment as reported by said commission, modified in accordance with the opinion of the First Comptroller of the United States Treasury, found $19,836.69 as the whole expense for that portion of the work lying between the exterior rails of tracks of the road of the Washington and Georgetown Railroad Company and two feet exterior therefrom; the sum of $2,828.85 in like manner was so found as to the Capitol, North O Street and South Washington Railway Company; and the further sum of $1,275.15 was found in like manner as to the Metropolitan Railroad Company; and the sum of $49,754.91 was found to be sum of the cost of paving the space between the property of the United States and the part of the avenue to be paid for by said Washington and Georgetown Railroad Company; and the further sum of $5,036.82 was the cost of the pavement between Seventh and Eighth streets opposite the locality occupied by the Washington Market Company; and the sum of $91,611.30 was found to be the whole cost of paving the intersections of the streets and avenues less that paid by the said railroad companies (which amount is to be paid in equal parts by the United States and by the District of Columbia), and that the further sum of $148,345.71 was found to be the residue of the cost of such paving.

Agreeably to said apportionment, the Commissioners of the District of Columbia gave the following notice, which was published in the Evening Star, a daily newspaper published in the City of Washington, D. C., dated June 26, 1877, to wit: that—

> We, the Commissioners of said District of Columbia, acting by the authority of the said act of Congress of the United States, have this day assessed, and do hereby assess, on the said Washington and Georgetown Railroad Company, the Capitol, North O Street and South Washington Railway Company, and upon the Metropolitan Railroad Company the aforesaid sums respectively found to be the cost of the pavement chargeable to them respectively under the said law of Congress, and we do hereby assess on the owners of private property lying and abutting on said Pennsylvania avenue and upon the property-owners of such parts of squares 254, 256, 323, 348, 408, as are abutting upon said pavement, the sum of $49,448.47, being the third of the residue aforesaid and the amount chargeable under the law to said private property, and we have apportioned the said assessment in proportion to frontage upon said pavement among said owners as follows, at the rate of $6.343106 front foot. * * *

(A list of the names of the individual property-owners, with number of square and lot, or part of lot, of front feet, and amount assessed to each, was duly published in said notice); that the amount to be paid by the District of Columbia was found to be $100,291.04.

And, furthermore, it was given in said notice that if any of the aforesaid railroad companies, or any private citizen, corporation, or person, assessed as above, shall neglect or refuse for the space of thirty days from the date of this notice to pay the collector of the District of Columbia the amount so assessed against them respectively, we will, in pursuance of the law, issue certificates of indebtedness against the property, which certificates will bear interest at the rate of ten per centum until they are paid, and which, until they are paid, will remain a lien upon the property or against which they were issued.

The collector, in obedience to the notice given and in conformity with provisions of said act, proceeded to collect, and did collect, without interest, during said thirty days, $24,413.99; after the issue of the certificates, $3,798.99 was collected. Under the decision of the Comptroller of the Treasury, $15,736.12 of the certificates at par (face) value were delivered to the contractor on account of the work done between the Capitol grounds and Sixth street west, making, with amount of cash paid him, payment in full therefor.

The remaining certificates issued, representing face value, are in the custody of the District treasurer for payment by the holders of private and corporate property, which amounts when paid or the said certificates are held subject to the demand of the contractor for that portion of the work west of Sixth street west.

RECAPITULATION.

Payments in cash received on account of repaving Pennsylvania avenue before issue of certificates	$24,413 99
Payment in cash after issue of certificates, for which acorresponding amount of certificates issued were canceled, less interest received ($45.13)	3,753 86
Amount of certificates delivered to contractor in payment	15,736 12
Amount of certificates in hands of the District treasurer for cancellation by payment or delivery to contractors on account of portion of work west of Sixth street, west	21,855 85
Amount of unadjusted balance as found due on Washington and Georgetown Railroad Company	7,679 42

The Washington and Georgetown Railroad Company paid against the amount assessed, viz, $19,886.69, the sum of $12,207.21, July 17, 1877, as directed by the supreme court of the District of Columbia, in equity cause No. 5673, wherein the Washington and Georgetown Railroad Company filed complaint against the amount found due against them by the Commissioners of the District of Columbia, predicated on certain items of charge entering into their account. This cause having come to be heard on the pleadings and exhibits therewith filed and on motion of the complainants for an injunction, and after counsel had been heard on both sides, it was ordered by the court, July 16, 1877, that upon the payment by the complainant to the defendant the sum of $12,207.27, the said defendants be and hereby restrained from issuing any certificate against the property or any part of it under act of July 19, 1876. It is further ordered, that this order stand till further order of the court.

No further action has yet been had in the premises.

In order to facilitate collections of arrears of taxes, obviate many just causes ofcomplaint, and accommodate attorneys, real-estate agents, and others interested in real estate, it is requisite some plan should be adopted whereby such may ascertain, without an extended search through tax-books for each year, the actual condition of property in which they have or may be about to secure an interest. To meet this, a numerically-arranged book of arrears of all kinds of tax is suggested, showing in regular numerical order each lot or part of lot in each square on which

any delinquent tax may exist; also, show what tax-sales may have been made of such property, redemptions, &c.

A compendious record so arranged will not only beneficially accommodate property-holders, but will readily show how much is due on each lot that may be in arrears.

The system of paying taxes has arranged itself in this manner: Congress having made the levy, it also conditions the payment, and, if not paid before given periods, penalties and other expenses attach. The result is that a large number of tax-payers put off till the expiration-moment occurs, and then crowd the office to pay current year's tax; and when later their attention is called to any arrear of tax that may exist, they are disposed to blame the office for what, under the arrangement of furnishing the tax-books from year to year, the office is unable to remedy.

The plan of a numerically-arranged digest of arrears will obviate this; it will require some one skilled and adept to prepare it as it should be; the present force of this office will not allow the detail to be made from it unless, in addition to what daily comes to each, the work is imposed as a night service, which, with doing of such work in preparation of advertisement of delinquent lists, would unfairly augment service of this kind.

Respectfully submitted.

JOHN F. COOK,
Collector, District of Columbia.

The Hon. COMMISSIONERS OF THE DISTSICT OF COLUMBIA.

F.—REPORT OF SUPERINTENDENT OF ASSESSMENTS AND TAXES.

OFFICE OF SUPERINTENDENT OF
ASSESSMENTS AND TAXES,
Washington, D. C., November 10, 1877.

GENTLEMEN: In compliance with your communication of October 23, I have the honor to submit the following report of the transactions of this office since my last annual report:

All transfers of real estate made in the District during the calendar year ending December 31, 1876, have been entered on the books of this office, requiring the opening of a large number of new accounts, and the closing of quite a number of old ones.

The board of assessors completed their labors and made their returns to this office on October 12. With the assistance of two additional clerks detailed, and by working both day and evening, the tax-books were completed and turned over to the collector on November 6, although at any time after the first day of November all tax-payers who called for their bills received them.

The assessment of Washington City amounts to	$83,101,484
The assessment of Georgetown amounts to	6,028,041
The assessment of Washington County amounts to	8,480,365
Total assessment	97,609,890

Showing an increase over the last annual assessment, as made in my last report, of $1,624,678.

The increase in Washington is	$1,854,637
The increase in Georgetown is	74,109
Total	1,928,746
Decrease in Washington County	304,068
	1,624,678

In my last annual report the amount of the assessment of Washington County was approximated at $8,784,433, the tax-book of the county at that time not being completed. After its completion it was found to foot up $8,728,622, a decrease of $55,811 from the assessment as approximated, thus showing that the actual decrease in Washington County is $248,257, and the increase in the whole District $1,680,489.

The personal assessment, although not yet completed, as shown by the returns of the board of assessors, up to the first of November amounts in the District to $8,993,109.

I would again call your attention to the general assessment-books of 1864 and 1869, which are absolutely in pieces, and should be renewed at once; otherwise they will be entirely lost. For the past year they have been totally unfit for general use, to the great inconvenience of the District offices and the general public.

I would also call your attention to my recommendation of last year, that a plat-book of Georgetown and a correct map of Washington County be prepared, at as early a date as possible, to enable the assessors to make an intelligent assessment of those parts of the District, and this office to transfer property correctly, which, with the facilities now at hand, it is utterly impossible to do.

I respectfully recommend that the act of Congress approved March 3, 1877, be amended so that the assessors should complete their labors by the 1st of August, and sit as a board of appeals during that month, and make their returns to this office by the 1st of September in each year, so that this office would be enabled to complete the tax-books by November 1.

I submit herewith the estimate of the amounts necessary for the support of this office for the fiscal year ending June 30, 1879.

Very respectfully,

WILLIAM MORGAN,
Superintendent of Assessments and Taxes.

The Hon. COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

Estimate of the amounts that will be required for the support of the office of the superintendent of assessments and taxes for the fiscal year ending June 30, 1879.

SALARIES.

Superintendent	$2,400 00
3 clerks	3,600 00
1 messenger	720 00
Total	6,720 00
Twelve tax-books, 1878–'79	$400 00
Stationery, &c	200 00
Incidentals	100 00
Repairing and binding record-books	300 00
	1,000 00

G.—REPORT OF THE ASSESSORS.

ASSESSORS' OFFICE,
Washington, D. C., November 20, 1877.

GENTLEMEN: In reply to the communication of your secretary, dated October 23, 1877, requesting us to make to the Commissioners, on or before the 10th instant, a detailed statement of the transactions of this department from the date of our last report to the 1st instant, with any recommendations we may think proper to make, with the object of increasing the efficiency of the same; also to forward an estimate of the amount required for its support for the fiscal year ending June 30, 1879, we have the honor to state that the increase of assessment of real property is as follows:

In Washington	$2,416,443 00	
In Georgetown	98,009 00	
In the county	104,150 00	
Total		$2,618,602 00
Reductions made by board of appeals in the city of Washton	561,806 00	
Georgetown	23,900 00	
In the county	408,218 00	
Total		993,924 00
Net increase over last assessment		1,624,678 00

Three thousand seven hundred and fifty-four personal returns have been received (1,334 being blank), representing taxable property valued at $8,993,109, of which amount $2,076,193 is the value of merchandise, and the balance, $6,916,916, the value of personal property not held for sale and subject to taxation.

Within the same space of time last year the number of returns received was 6,468, representing a taxable value of $12,688,598. A decrease in number of 2,714 and $3,695,487 in amount.

Since the preparation of the foregoing we have received 234 returns of personal property, amounting to $327,760, making the value of personal property returned to date hereof $9,310,870. We estimate the assessments of personal property, in the preparation of which we are now engaged, at $4,500,000, which will, when completed, aggregate $13,810,870.

We make the following recommendations:

1. The abolition of the tax on merchandise and the restoration of the license-law.

We find that this tax is peculiarly objectionable to our merchants from the fact that the return of their merchandise exposes their business affairs, often to their great detriment. It is found also to bear very unequally. Nearly all the smaller dealers, with commission-merchants, agents, butchers, bakers, and others, who really handle much stock, although keeping at no time any considerable amount on hand, escape a due proportion of the tax. The larger dealers, on the contrary, who make definite and full returns, thus bear almost the entire amount of the tax on merchandise, which is consequently felt by them to be unequal and unjust. Moreover, a comparison of the actual result of the present system at this point with that of the old license-law shows that the District is positively a loser. Thus, with all probable returns for the year in, and the time for such returns long since past, there has been reported to the 1st instant but $2,076,193 of merchandise. The tax on

this is $31,142.92. The books show that there was paid in for the fiscal year ending June 30, 1876, under the license-law, the sum of $53,351.22. The loss thus in a single year foots up $22,208.32. We have here conclusive evidence of the superiority of the former plan.

2. The abolition of the tax on the 5, 6, and 8 per cent. stocks, issued by the late corporations of Washington and Georgetown. We have but to say, briefly, that this tax by the District on its own indebtedness is felt to be unfair and oppressive, because it is regarded by those who pay it as partial repudiation, and a violation of the understanding had at the time of the issue of these securities. It also tends to injure the credit of the District, depreciating its securities at home and driving our own citizens who hold them, because of their loss of the 1½ per cent. tax, to dispose of them at a discount to alien creditors, who because of their exemption from such tax save a corresponding amount; hence to tax them is, we think, an unintentional discrimination against our own citizens.

3. The abolition of the tax on notes secured by deed of trust on District property.

This tax is deemed oppressive and unjust, because it is really a second exaction on property already taxed before mortgage.

4. The reduction of the rate of the personal tax from 1½ to 1 per cent.

It is believed that, as the result of such a reduction, much fuller returns would be made, they would be yielded more cheerfully by the people, and there would be no loss of income—perhaps a gain.

5. That the annual assessments should begin in April instead of July as now. Thereby time would be given for a fuller examination and estimate, fewer appeals would be made with less reduction, greater opportunity would be allowed for the consideration of appeal cases. The books of both our own office and those of the collector and superintendent of assessments and taxes might be more thoroughly prepared and in better time, thus greatly facilitating the desired result, the successful collection of taxes.

6. We strongly recommend that there be made a new and general assessment of real property to begin the 1st of January next, with a view of equalizing the same and giving uniformity.

Within the last few years, as is well known, there has been immense fluctuation in the values of real estate. In many cases the depreciation has been enormous. In others there has been no fall. It is not strange, then, that a tax based on assessments made in flush times should by many of our best citizens be regarded as oppressive. A just regard for the interests of our people, which after all constitutes the only solid basis for a successful administration of government, calls for such readjustment as will cause a prompt and cheerful compliance with the tax laws.

In case of a general assessment, the probable reduction in the valuation of the real estate in the District will be fifteen million dollars.

7. That a book of plats, and a numerical book for Georgetown, and plats of subdivisions and tracts of land for the county be provided. These we deem indispensably essential.

We conclude this report with a recurrence to some remarks in our last annual report. We therein alluded to the importance of placing the office of assessors in this District on a permanent and substantial basis, in view of the vast material interests dealt with by them, and the necessity of special knowledge and experience in their duties to a just and satisfactory performance thereof. We note with pleasure that your

recommendation, and the consequent action of Congress as to the matter, rescued the office from its ephemeral character, and did a great justice to the citizens and to the material interests of the District, by making the office a permanent one. The reasons presented in the same connection for increasing the compensation seem to have been to a large extent overlooked, the increase of time, covered by the present salary, to a full year, really keeping the compensation at the former minimum. Surely the responsibilities imposed by, and the experience required for, the proper exercise of such an important office under a government controlling such immense central interests at the seat of the national capital demand a remuneration more in harmony with its character.

We take this occasion, therefore, to renew our former recommendation for your favorable consideration and recommendation to Congress.

The annexed estimate, as the probable expense of this office for the fiscal year ending June 30, 1879, is submitted, viz:

For 3 assessors, at $2,000 each per annum	$6,000 00
For 1 clerk, at $1,500 per annum	1,500 00
For 1 clerk, at 1,400 per annum	1,400 00
For 1 clerk, at 1,200 per annum	1,200 00
For writers temporarily employed at a per-diem allowance	1,000 00
For 1 messenger, at $720 per annum	720 00
	11,820 00

Very respectfully,

WM. DIXON,
G. A. BOHRER,
B. D. CARPENTER,
Assessors.

The Hon. COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

H.—ANNUAL REPORT OF ENGINEER OF DISTRICT OF COLUMBIA.

ENGINEER'S OFFICE, DISTRICT OF COLUMBIA,
Washington, November 15, 1877.

GENTLEMEN: I have the honor to submit herewith a report of the operations of my office from December 1, 1876, to November 1, 1877.

The work of improvement has been confined to the substitution of stone and bituminous pavements to a limited extent for the decayed wooden pavements of Washington and Georgetown, the completion of the system of sewerage for a part of Tiber Valley, the relief of a few localities from a defective sewerage, and a very moderate extension of the supply of water and gas. Sewer-pipe and other material which remained on hand at the close of last season's work has been supplied to property-owners and laid at their own expense under the direction of this office.

The work of tree-planting has been continued, but the want of funds has restricted the operations of the parking commission, whose work has been principally confined to the care and preservation of the trees already planted. The work of repair throughout the District has been kept up so that all streets, avenues, and alleys, sewers, roads, and bridges are in fair condition, or in course of repair, excepting the defective wood and concrete pavements. Special provision must be made for the repairs of these pavements and the maintenance of the existing concrete or bituminous pavements.

In my report of 1875 I estimated twenty cents per yard per annum as the cost of maintaining the coal-tar pavements. I have seen no reason to lower that estimate, and as the District has now 754,185.33 square yards

of these pavements to take care of, besides 92,174.20 square yards of native asphalt and asphaltum pavements, an annual expenditure of at least $150,837.06 is required. For want of proper care these pavements are rapidly deteriorating, and should it be found impossible to provide the means of maintaining them in proper condition, it will be necessary to return to stone. The greater part of these pavements can be advantageously covered with a much better quality of wearing-surface than that of the original pavement, and the subsequent cost of maintenance may be somewhat reduced. The bituminous, monolithic pavements are a luxury, however, and must be kept in good order at the price of a luxury, or abandoned for something more durable. I have heretofore recommended that the District assume the work of putting down these pavements and keeping them in repair, without resort to contract, employing skilled labor and purchasing the necessary material. I renew this recommendation, and am satisfied that the system would be found more economical and satisfactory in every respect than the contract work, with its multiplicity of patents, meaning nothing and describing everything except the pavements laid under them. It will be necessary to employ a thoroughly competent expert to superintend this work and to purchase suitable machinery.

The necessity of reclaiming from their present impassable condition the miles of wooden pavements yet rotting on the streets of Washington and Georgetown, is especially urged upon your attention. These streets are perilous to travel, and are pronounced by the board of health to be in a condition highly injurious to health. The appropriation of $250,000 by Congress for general purposes has been mainly applied to this, and 95,900.12 square yards have been repaved with stone blocks and bituminous pavements. There remain about 788,634 square yards to be attended to, and of this 286,754 square yards are selected and specified hereinafter as being in the worst condition and most in need of immediate attention. It is to be hoped that funds will soon be available for this purpose. Not less than $500,000 should be expended within the next year for the repair of wood and concrete pavements, and $1,000,000 could be profitably spent for this purpose.

The following is a summary statement of the expenditures on account of the work of repair and improvement from December 1, 1876, to November 1, 1877, with estimates for the ensuing year:

Summary statement of operations.

	Expenditures since Nov. 30, 1876, to Nov. 1, 1877.	Estimates for ensuing year.	
1. Work of improvement and repair under contracts (see table I).	$76,096 15	$39,775 46	For completion of existing contracts only.
Under orders authorized by Commissioners of District of Columbia (see table IV).	12,740 42	200 00	For completion of existing orders only.
2. Replacement of wooden pavements (see table II).	198,372 53	500,000 00	$6,280 35 under contract.
3. Resurfacing and repairs of concretes (see tables II and IV).	30,352 67	150,837 06	$1,045.11 under orders.
4. Improvement of Tiber Valley (see table III)	27,157 87		
5. Engineer's office	29,907 70	40,000 00	
Engineer's office, contingent expenses	5,354 74		
6. Parking Commission	28,380 09	30,000 00	
7. Water department	82,336 62	84,500 00	
8. Gas, Washington	120,183 82	156,000 00	
Gas, Georgetown	12,134 18		
9. Labor, repairs, work in Washington, Georgetown, and county.	56,961 66	75,000 00	
10. All construction material (except that furnished to contractors, tables I, II, III, IV).	18,611 55	20,000 00	
11. Supplies for all District offices under the direction of the Commissioners, except water, gas, and parking departments.	104,767 48	110,000 00	
12. Sweeping streets, $30,019.87, included in Table I.	.....	33,000 00	
13. Cleaning alleys, $6,427.22, included in table I.	.....	7,000 00	
Total	803,357 54	1,246,312 52	

The special assessments on account of improvement of streets and alleys have been completed in accordance with the method and rules established by the board of public works, including all expenditures transmitted to this office by the auditor of the District of Columbia. A number of revisions of these assessments have also been made, based upon a modification of the rules, and the assessments of alleys have been withdrawn pending a re-adjustment of the method of apportioning the cost. The revision of the assessments made by the board of public works to conform to the modified rules of the Commissioners of the District of Columbia, and to eliminate certain errors, has been undertaken with a view to obtaining such legislation on the part of Congress as will enable their correction and adjustment. This work is still progressing. The estimated surplus on account of the collection of these assessments, given in my last annual report, has been verified with remarkable accuracy, but has been materially reduced by the modification of the rules which governed these assessments at that time. The revision of the special assessments made under the board of public works will still further reduce this estimated surplus, but to what extent is not yet ascertained.

The accompanying report of the assistant engineer explains the modification of the rules for assessment, and gives two examples of the revision of the assessments of the board of public works, from which the probable effect of the application of these rules to them may be inferred.

The following tables give the present statement of these assessments, as prepared under my direction in the office of the surveyor. It is subject to correction on account of additional allowances for drawbacks.

Statement of balances on account of expenditures rendered for special assessments by the board of public works and District Commissioners from 1872 *to* 1877, *including all assessments made for street improvements and alleys.*

Account.	Dr.	Cr.
The board of public works and District Commissioners on account of streets and alleys, expenditures and 5 per cent	.....	$19,991,917 98
The United States	$3,917,446 45	
The general fund	10,649,209 23	
Property-holders (streets and alleys)	4,595,879 42	
District of Columbia	28,084 60	
Street-railroads	45,978 70	
Drawbacks	408,903 05	
Half intersection of lateral streets awaiting assessment	346,416 53	
Total	19,991,917 98	19,991,917 98

Statement of balances on account of expenditures rendered for special assessments by the boar of public works from 1872 *to* 1874, *including the last assessment made under said board.*

Account.	Dr.	Cr.
The board of public works, expenditures and 5 per cent	.....	$8,199,764 03
The general fund	$4,009,538,99	
Property-holders	2,320,264 55	
The United States	1,634,191 05	
Street-railroads	45,978 70	
District of Columbia	28,084 60	
Drawbacks	3,470 10	
Half intersections charged to lateral streets awaiting assessment	158,236 04	
Total	8,199,764 03	8,199,764 03

Statement of balances on account of expenditures rendered by the District Commissioners for special assessment from 1874 *to* 1877, *to include the last assessment made of streets, avenues, roads, and alleys.*

Account.	Dr.	Cr.
The board of public works and District Commissioners' expenditures and 5 per cent	.....	$11,792,153 95
The United States	$2,283,255 40	.....
The general fund	6,639,670 24	.....
Property-holders (streets, &c.)	2,194,737 13	.....
Property-holders (alleys)	80,877 74	.....
Drawbacks	405,432 95	.....
Half intersection of streets not yet assessed	188,180 49	.....
Total	11,792,153 95	11,792,153 95

The duties of the surveyor in connection with the special assessments are practically terminated with the completion of the plats required, but a large amount of work on account of the District government is still required from his office. The preparation of a system of legal grades adapted to the changes made by the board of public works, the rectification of the building-lines of streets, avenues, and alleys in Washington and Georgetown, and the establishment of additional monument-stones on the District boundary-line, are matters which deserve immediate attention.

In pursuance of the act of Congress approved June 20, 1874, the sur-

veyor receives no other compensation than the fees prescribed by law for special services. Your attention is invited to the very forcible reasons presented in his report for a re-adjustment of the matter of his compensation.

The recommendation of an increased water-supply for the District has been made in former reports, and is emphasized each year by the growing water-famine in the higher parts of the city of Washington. At least $1,000,000 should be appropriated for this purpose, to be expended only upon carefully digested plan for a permanent increase of the supply. The problem is a simple one, consisting only in the bringing of this supply from the distributing-reservoir and storing it upon the higher ground near Washington. The report of the water-registrar urges the growing importance of this measure, and is commended to your attention, together with the facts and suggestions which are given in detail in the last annual report.

The condition of the various public markets is satisfactory, except as to the absence of a suitable building for the Northern Market. The sheds, which were to have survived only the time required for the erection of a permanent building, are somewhat dilapidated, and require almost incessant repair. A new building should be put up as soon as possible, and if the present site be objectionable in any respect, another should be selected. The rentals of the Western Market stalls are higher than is necessary for sustaining the market, and should be reduced when the present indebtedness on account of the construction of the building shall have been paid off. The following is a statement of receipts and expenditures:

Statement of the expenses and revenues of the several markets under the direction of the engineer of District of Columbia from December 1, 1876, *to November* 1, 1877, *eleven months.*

Markets.	Expenses.	Revenues.
Northern	$1,927 31	$6,178 58
Eastern, Northeastern	2,426 12	2,851 00
Western	1,734 59	5,259 88
Georgetown	1,605 28	1,614 83
Total	7,683 30	15,904 29

I have heretofore invited your attention to the great importance of certain projected works of improvement, notably that of the establishment of a new river-front and the reclamation of the marshes now bordering the city of Washington. This plan proposes the creation of a permanent deep-water channel for Washington and Georgetown, and the sanitary measure of reclaiming the marshes which is incidental to it. The execution of the plan has been committed to the Engineer Department of the Army, but no sufficient appropriations have yet been made for carrying it into effect. It is a matter which intimately affects the prosperity and health of the District, and cannot be too strongly urged upon the attention of Congress as one of the most important of all the projected river and harbor improvements.

A topographical survey of the District, with a view to the extension into the county of the general system of streets and avenues, and the establishment of a system of legal grades outside of the present city limits, is very much needed, and should anticipate the irregular subdivision of land by individual owners, which will otherwise have to be rectified hereafter. The extension of the work of improvement is to be

provided for, and should begin with the completion of what has been already undertaken. In several localities the suspension of the work of improvement has inflicted a serious injury upon adjoining property, having deprived it of existing improvements without replacing them in any manner.

Your attention is invited to the accompanying reports of the chief clerk of my office, the water-registrar, the surveyor, the parking commission, the superintendent of property, the overseer of gas and lamps, and the superintendent of repairs, as well as to the accompanying tables of expenditures and estimates.

Very respectfully,

R. L. HOXIE,
Lieut. Engineers, U. S. A., Engineer of D. C.

The Hon. COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

H.—APPENDIX 1.

REPORT OF CHIEF CLERK.

ENGINEERS' OFFICE,
Washington, D. C., November 5, 1877.

SIR: I have the honor to submit the following report of work performed by the clerical force of this office from December 1, 1876, to November 1, 1877, eleven months:

Number of communications received, briefed, and recorded	4,985
Upon these there have been 2,967 indorsements and 1,725 reports.	
Number of letters and orders written	2,836
Number of permits (water, gas, sewer, and miscellaneous) issued	1,403
Number of copies of contracts drawn	68
Number of sets of vouchers and bills prepared, together with a large amount of miscellaneous work	258

The records of the office are in a fair state of preservation, and the work is well advanced. Owing to the very limited clerical force allowed, a portion of the record heretofore kept has been discontinued.

During the past season a portion of the force, under the supervision of Mr. B. Oertly, assistant engineer, has been engaged in adjusting claims presented for drawbacks and revising special assessments.

The sheets of the sewer-plan of the cities of Washington and Georgetown have been in constant daily use for the past six years, and are much worn, and will in some instances soon become defaced. I have to suggest that authority be requested to employ an additional draughtsman to prepare a new set of sheets one-half of the size of those now in use and to be bound in book-form. The present force is absolutely inadequate to replace this valuable record.

I desire to return my thanks to the gentlemen connected with the office for the able and faithful manner in which they have performed their duties.

Very respectfully,

JOSEPH C. ROCK,
Chief Clerk.

Lieut. R. L. HOXIE,
Corps of Engineers, U. S. A.,
Engineer of the District of Columbia.

H.—APPENDIX 2.

WATER-REGISTRAR'S REPORT.

WATER-REGISTRAR'S OFFICE,
DISTRICT OF COLUMBIA,
Washington, November 10, 1877.

SIR: I have the honor to submit the following report of the operations of this department from November 15, 1876, to November 10, 1877:

WATER-MAINS.

The total length of water-mains laid and used in the distribution of Potomac water in the District of Columbia is 877,906 linear feet, or 166 miles and 1,425 linear feet, and classified as follows:

1st. Laid by the United States: 30-inch, 12-inch, 6 and 4 inch mains, 93,750 feet, or $17\frac{3}{5}\frac{9}{2}\frac{7}{8}\frac{0}{0}$ miles.

2d. Laid by the District of Columbia: 36, 30, and 20 inch mains, 27,848 feet, or $5\frac{1}{5}\frac{4}{2}\frac{4}{8}\frac{8}{0}$ miles.

3d. Laid by the late corporation of Washington: 6 and 4 inch mains, 55,000 feet, or $10\frac{2}{5}\frac{2}{2}\frac{0}{8}\frac{0}{0}$ miles.

4th. Laid by the water department since its organization to present date: 12, 6, and 4 inch mains, 701,727½ feet, or $132\frac{4}{5}\frac{3}{2}\frac{6}{8}\frac{7}{0}$ miles.

Of the above, there was laid since November 1, 1871, to present date, 264,926½ feet, or $50\frac{9}{5}\frac{2}{2}\frac{6}{8}\frac{1}{0}$ miles; and from November 15, 1876, to November 10, 1877, 26,013 linear feet, or $4\frac{4}{5}\frac{8}{2}\frac{9}{8}\frac{3}{0}$ miles, of which the following is a correct list:

Location.	Street.	Streets between.	Diameter.	Length.
				Feet.
Center	Twenty-fourth, west	M and N, north	6-inch	672
West side	Seventh, east	East Capitol and A, north	do	348
South side	R, north	Ninth and Tenth, west	do	548
Center	Eighth, east	B and C, south	do	552
South side	Q, north	Thirteenth and Fourteenth, west	do	624
West side	First, west	Pennsylvania avenue and B, north	12-inch	58
South side	South Carolina avenue	Eleventh and Twelfth, east	6-inch	384
West side	Ninth, west	T and U, north	do	540
North side	Q, north	Sixth and Seventh, west	do	612
Both sides	Eleventh, west	U and W, north	do	1,344
West side	Sixteenth, west	S and T, north	do	864
Center	N, north	Twenty-fourth and Twenty-fifth, west	do	312
West side	Eighth, east	East Capitol and A, north	do	384
East side	Twelfth, west	Q and R, north	do	504
Both sides	Eleventh, east	South Carolina avenue and B, south	do	1,032
West side	Sixth, west	Rhode Island avenue and Boundary, north	do	804
Both sides	M, north	Fifteenth and Sixteenth, west	do	960
Center	E, north	Seventh and eighth, east	do	336
Do	Seventh, east	E and F, north	do	444
East side	Twenty-third, west	L and M, north	do	576
South side	K, north	North Capitol and First, west	do	154
Center	Sampson	Fourteenth and Fifteenth, west	do	708
West side	New Jersey avenue	Fourth and Fifth, west	do	408
North side	S, north	Fifth and Sixth, west	do	276
West side	Eleventh, west	T and U, north	do	522
Center	Twelfth, west	V and W, north	do	444
South side	N, south	New Jersey avenue and Third, east	do	60
Do	M, north	Nineteenth and Twentieth, west	do	360
Center	Union, west	M and N, south	do	648
Both sides	Fourth, east	Virginia avenue and L, south	do	1,236
North side	S, north	Tenth and Eleventh, west	do	252
East side	New Hampshire avenue.	T and U, north	do	216
North side	T, north	Sixteenth and Seventeenth, west	do	665
South side	Sampson street	Seventeenth and Eighteenth, west	do	252
East side	Eighteenth, west	L and M, north	do	144
Do	North Capitol, east	H and I, north	do	372
Both sides	F, north	North Capitol and Second, east	do	2,378
South side	Massachusetts avenue, north.	North Capitol and First, west	4-inch	120
Do	do	do	6-inch	42

Location.	Street.	Streets between.	Diameter.	Length.
				Feet.
South side ...	C, north.....	Seventh and Eighth, east.....	1-inch ...	187
East side	Nineteenth, east	D and C, south.....	6-inch ...	235
	Connecting fire-plug..	At various places with mains.....	....do....	380
Do.....	New Jersey avenue, west.	L and M, north	2-inch ..	259
South side ...	Massachusettsavenue, north.	North Capitol and First, west.....	6-inch ...	792
	E, north	Twentieth and Twenty-first, west.....	....do....	480
	Circle.....	Fourteenth and Massachusetts avenue, west	....do....	204
East side	Nineteenth, west.....	Q and S, north	....do....	750
West side....	Connecticut avenue, west.	N to Eighteenth, thence to M, north	....do....	600
North side...	R, north	Thirteenth and Fourteenth, west	....do....	594
East side	Sixth, west.....	M and N, south	....do....	675
West side....	New Hampshire avenue, west.	T and U, north.....	....do....	720

GEORGETOWN, D. C.

Center.....	Fayette.....	Fourth and Eighth streets	6-inch ...	1,650
	To connect.....	Stop-cocks	....do....	276
	.....do	Fire-plugs	....do....	105
Do.....	Dumbarton	Congress and Washington	....do....	590

MAINS LOWERED.

Twenty-seven hundred and three linear feet of 6-inch water mains have been lowered to new grades of streets, together with the numerous stop-valves and attachments connected therewith, in the majority of instances without shutting off the water, and with little inconvenience to the public.

The following is a correct list of the locations, diameters, and lengths:

Location.	Streets between.	Diameter.	Length.
			Feet.
Third, east.....	N and O, south	6-inch.....	317
K, north	First and Second, east	6-inch.....	576
Second, east.....	L and M, north	6-inch.....	420
I, north	Delaware avenue and Second, east.....	6-inch.....	360
Third, east.....	L and M, north	6-inch.....	800
Tenth, east.....	Pennsylvania avenue and D, south.....	6-inch.....	230
Total.....	.....	.....	2,703

FIRE-PLUGS.

There are in the District of Columbia 750 fire-plugs, nearly all of the McClelland patent. During the year there has been erected 36 new ones.

Fire-plugs have been flushed 1,127 times; oiled, 760 times; shut off after street-sweepers, 419 times; cleaned of ice and snow, 600 times; examined, 6,300 times; and repairs made to 120.

Location of plugs erected in Washington during the year.

Southwest corner Twenty-fourth and N streets, northwest.
Northwest corner Eighth and C streets, southeast.
Southwest corner Twelfth and South Carolina avenue, southeast.
Northwest corner Eleventh and W streets, northwest.
Northwest corner Eleventh and U streets, northwest.

Northwest corner Sixteenth and T streets, northwest.
Southwest corner Eighth and A streets, northeast.
Northwest corner of Eleventh and V, northwest.
Northeast corner of Twelfth and Q, northwest.
Southwest corner of Eleventh and C, southeast.
Northwest corner of Sixteenth and S, northwest.
Northwest corner of Seventh and E, northeast.
Southeast corner of Seventh and F, northeast.
Southwest corner of Twelfth and T, northwest.
Northwest corner of Fourth and K, southeast.
Northwest corner of First and F, northeast.
Northwest corner of Second and F, northeast.
Southeast corner of Nineteenth and Lawrence, northwest.
In front of the city hall.
Northwest corner of Sixth and G, northwest.
Northeast corner of Sixth and N, southwest.

Location of plugs erected in Georgetown during the year.

Northeast corner of Fayette and Fourth streets.
Northeast corner of Fayette and Sixth streets.
Northwest corner of Fayette and Seventh streets.
Northeast corner of Fayette and Eighth streets.
Northwest corner of Fayette and First streets.
Northeast corner of Lingan and Prospect streets.
Northeast corner Frederick and Prospect streets.
Northwest corner Potomac and Prospect streets.
Northwest corner Market and Third streets.
Northwest corner Frederick and Eighth streets.
Northwest corner Market and Seventh streets.
Southwest corner Road and Valley streets.
North side of Road at intersection of Washington.
Southwest corner West and Green streets.
Northwest corner Dumbarton and Monroe streets.
Northeast corner Montgomery and Beall streets.
Northwest corner Olive and Green streets.
Northwest corner Second and Lingan streets.
Northwest corner Dumbarton and Washington streets.
Bridge, opposite aqueduct, 8 inch.
Southeast corner Jefferson and Bridge streets.

STOP-VALVES.

Forty-five large stop-cocks and boxes have been inserted during the year—thirty-four in Washington, and eleven in Georgetown. During the year seven hundred stop-cocks have been oiled, and thirty-three examined and repaired.

Size.	Location.
One 4-way 6-inch.....	Twelfth street and South Carolina avenue, southeast.
Do.....	Eleventh and W streets, northwest.
Do.....	Eleventh and V streets, northwest.
Do.....	Eleventh and U streets, northwest.
Do.....	Center Twenty-fourth and N streets, northwest.
Do.....	Center Eighth and A streets, northeast.
Do.....	Eleventh street and South Carolina avenue, southeast.
Do.....	Center Seventh and E streets, northeast.
Do.....	Twelfth and V streets, northwest.
Do.....	F and First streets (east side), northeast.
Do.....	Southwest corner Eighteenth and M streets, northwest.

Size.	Location.
One 4-way 6-inch	Center Sixth and M streets (east side,) southwest.
Do	Northwest corner New Hampshire avenue and T street, northwest.
One 2-way 6-inch	Southwest corner Sixteenth and U streets, northwest.
Do	Northwest corner Sixteenth and S streets, northwest.
Do	Center Sampson between Fourteenth and Fifteenth streets, northwest.
Do	Northwest corner New Jersey avenue and P street, northwest.
Do	Northeast corner Sixth and S streets, northwest.
Do	Northwest corner Fifth and S streets, northwest.
Do	Center Vermont avenue and N street, northwest.
Do	Center Fifteenth and S streets, northwest.
Do	Center M and Union streets, southwest.
Do	Fourteenth and Pierce streets (west of center), northwest.
Do	Northwest corner Sixteenth and T streets, northwest.
Do	I and North Capitol streets, northeast.
Do	Southwest corner Seventeenth and Sampson streets, northwest.
Do	Near center Nineteenth and E streets, northwest.
Do	Center Fifteenth and Q streets, northwest.
Do	Northeast corner G street and New Jersey avenue, northwest.
Do	In circle Fourteenth street and Massachusetts avenue, northwest.
Do	Nineteenth and Q streets, northwest.
Do	Nineteenth and R streets, east side of Nineteenth, center of R, northwest.
Do	Center Connecticut avenue and L street, northwest.
Do	Center Fifteenth and Q streets, northwest.

GEORGETOWN, D. C.

Size.	Location.
One 2-way 6-inch	Center Fayette and First streets.
Do	Center Frederick and First streets.
Do	Center Prospect and Lingan streets.
Do	Center Prospect and Frederick streets.
Do	Center Market and Fifth streets.
Do	Center Valley and Road streets.
Do	Center Washington and Road streets.
Do	Center First and Lingan streets.
Do	Center Third and Fayette streets.
Do	Center Washington and Dumbarton streets.
Do	Center West street front of Metropolitan Railroad stables.

"T" BRANCHES.

During the year there have been inserted forty-five six-inch and one four to six inch "T" branches at the following-named places:

Number.	Size.	Location.
2	6-inch	Twenty-fourth, between M and N streets, northwest.
1	....do	R, between Ninth and Tenth streets, northwest.
1	....do	Eighth, between B and C streets, southeast.
1	....do	South Carolina avenue between Eleventh and Twelfth streets, southeast.
3	....do	Q, between Sixth and Seventh streets, northwest.
5	....do	Eleventh, between Q and W streets, northwest.
2	....do	Sixteenth, between S and U streets, northwest.
1	....do	Eighth, between East Capitol and A streets, northeast.
2	....do	Twelfth, between Q and R streets, northwest.
1	....do	South Carolina avenue and B street, southeast.
2	....do	E, between Seventh and Eighth streets, northeast.
1	....do	Twenty-third, between L and M streets, northwest.
1	....do	Sampson, between Fourteenth and Fifteenth streets, northwest.
1	....do	New Jersey avenue, between Fourth and Fifth streets, northwest.
2	....do	S, between Fifth and Sixth streets, northwest.
1	....do	Twelfth, between U and V streets, northwest.
1	....do	Union, between M and N streets, southwest.
1	....do	Fourth street, between Virginia avenue and L street, southeast.
2	....do	T, between Sixteenth and Seventeenth streets, northwest.
3	....do	Sampson, between Seventeenth and Eighteenth streets, northwest.
4	....do	F, between North Capitol and Second streets, northeast.
1	....do	Massachusetts avenue between North Capitol and First streets, northwest.
1	....do	Nineteenth, between D and E streets, southeast.
2	....do	Nineteenth, between Q and S streets, northwest.
1	....do	R, between Thirteenth and Fourteenth streets, northwest.
1	....do	Sixth, between M and N streets, southwest.
1	....do	New Hampshire avenue, between T and U streets, northwest.
1	4 to 6 inch	North Capitol, between H and I streets, northeast.

HYDRANTS.

There are in use 235 hydrants in Washington and 47 in Georgetown. During the year there were 16 new ones erected; 11 erected in place of old ones, 2 removed to new positions, and 671 repairs made in Washington; 2 new hydrants were erected, and 2 removed to new positions, in Georgetown.

LEAKS.

Eighty six leaks in water-mains have been repaired in Washington and 12 in Georgetown.

FOUNTAINS.

One new fountain has been erected at the southeast corner of Maryland avenue and Eighth street northeast. Fifty-five repairs to fountains have been made.

TAPS.

Seven hundred and seventeen taps have been made during the year.

GAUGES.

There are 12 gauges in the District, of which a daily record is kept. They are situated at the following named places:

Pennsylvania avenue and Eleventh street, southeast.
Second and K streets, northwest.
Delaware avenue and B street, northeast.
Morrison buildings, room 4.
Morrison buildings, water registrar's office.
Massachusetts avenue, between Fourth and Fifth, northwest.
L and Eleventh streets, northwest.
V and Thirteenth streets, northwest.
K between Sixteenth and Seventeenth, northwest.
New Hampshire avenue and P street, northwest.
Twenty-sixth street and Pennsylvania avenue, northwest.
Four-and-a-half and O streets, southwest.

MISCELLANEOUS.

584 outlets flushed.
1,160 new services examined and repaired.
387 houses shut off for wasting water.
26,750 houses examined.
21,200 water-rent bills delivered.
11,050 tax-notices delivered.
1,290 services cut off for non-payment.
495 leaky services shut off and repaired.

WATER-SUPPLY.

Three great mains, viz, twelve, thirty, and thirty-six inches in diameter, supply Washington and Georgetown with Potomac water, and have capacity to deliver every twenty-four hours over 30,000,000 gallons; that is, correctly estimated, as follows:

	Gallons.
Twelve-inch main	1,150,560
Thirty-inch main	11,368,800
Thirty-six inch main	17,935,200
Total	30,454,560

Experiments recently made under the direction of the engineer of the Washington aqueduct show that at the present time the two cities consume every twenty-four hours 23,252,932 gallons.

One year ago we were consuming at the rate of 25,000,000 gallons very twenty-four hours. It will be seen by a comparison of these fig-

ures that the consumption of Potomac water to-day is less, one and three-quarter million gallons, than it was at this time a year ago. This, too, notwithstanding the fact that our water-takers or new supplies have increased over one thousand, as is shown by the following table:

Statement of water-takers.	New supplies during year.	Increase during last year.	Decrease from last year.
July 1, 1859, to January 1, 1860	340	.....	.....
January 1, 1860, to January 1, 1861	815	475	.....
January 1, 1861, to January 1, 1862	235	.....	580
January 1, 1862, to January 1, 1863	282	47	.....
January 1, 1863, to January 1, 1864	444	162	.....
January 1, 1864, to January 1, 1865	359	.....	85
January 1, 1865, to January 1, 1866	474	115	.....
January 1, 1866, to January 1, 1867	631	157	.....
January 1, 1867, to January 1, 1868	812	181	.....
January 1, 1868, to January 1, 1869	584	.....	228
January 1, 1869, to January 1, 1870	577	.....	7
January 1, 1870, to January 1, 1871	842	265	.....
January 1, 1871, to November 1, 1871	861	19	.....
November 1, 1871, to November 1, 1872	1,323	462	.....
November 1, 1872, to November 1, 1873	1,434	111	.....
November 1, 1873, to November 1, 1874	1,212	.....	222
November 1, 1874, to November 1, 1875	1,412	200	.....
November 1, 1875, to November 1, 1876	1,441	29	.....
November 1, 1876, to November 1, 1877	1,052	.....	389
Total number of takers	15,130		

Classification of water-takers in Washington.

Barber-shops	53	Livery-stables	37
Bakeries	67	Markets	4
Breweries	17	Marble-yards	6
Brick-yards	3	Medical colleges	2
Billiards	14	Mills	4
Boat-house	1	Offices	286
Banks	13	Oyster-depots	2
Coach-factories	4	Private stables	285
Concrete-works	3	Planing-mills	3
Convent	1	Public halls	28
Dye-houses	13	Pottery	1
Drug-stores	39	Photograph-galleries	25
Domestic purposes	13,522	Restaurants	275
Engines, steam	87	Railroad-depots	2
Express-stables	2	Railroad-stables	4
Excavating Company, odorless	1	Stores	568
Fish-wharves	3	Shops	27
Ferry	1	Street-washers, only	47
Gas-holders	3	Slaughter-houses	7
Gymnasium	1	Soap-factories	4
Horse-bazaar	1	Theaters	4
Hotels	24	Wagon-yard	1
Laundries	13		

This increase in consumers really shows the fact that we use more water than at any other period, but that we waste less than at any period. The only explanation that I can offer of this satisfactory state of affairs is, that the rigid system of inspection established has had the desired effect of stopping in part the extravagant use, waste, and abuse of water privileges. Had we kept on using water at the same rate as in 1876, allowing for the natural increase of population, the estimated quantity would be about 27,000,000 gallons; showing that the system established, in reality reduced our consumption by three and three-quarter millions of gallons every twenty-four hours. The above figures, while showing a decided economy in the use of water compared with former years, also show the enormous quantities used, and, adopting

the usual formula of dividing the whole supply by the whole number of inhabitants, we get a fraction over 155 gallons to each person; but a very large percentage of this quantity is used and wasted in the several departments and workshops of the general government, public fountains, and in other ways. Yet, with this allowance, and deducting for the people who use pumps and wells, we still have a larger supply to each inhabitant than any other city in the world. The following table shows the average number of gallons of water to each inhabitant in the cities named:

Name of cities.	Gallons daily.	Name of cities.	Gallons daily.
Washington	155	London, England	29
New York	100	Liverpool, England	25
Brooklyn	52	Paris, France	28
Baltimore	50	Tours, France	22
Chicago	65	Berlin, Prussia	20
Boston	60	Dublin, Ireland	25
Cincinnati	45	Edinburgh, Scotland	38
Detroit	83	Glasgow, Scotland	50
Cleveland	40	Geneva, Switzerland	16
Jersey City	80	Montreal, Canada	55

These figures illustrate the more than abundant supply of water in the cities of our own country, and the very meager supply in the cities of other lands. The system of supply also differs in every way. For instance, London and its surroundings are supplied by eight different companies to as many separate districts, the water being pumped from the rivers Thames and Lea into various reservoirs, where, before passing into the distributing-pipes, it undergoes a process of filtration. The daily average supply is about 103,000,000 gallons to a population of 3,800,000, or 27 gallons to each inhabitant.

The water supply of Paris averages 77,000,000 gallons per day. With a population estimated at 2,225,000, this will give 35 gallons to each inhabitant. The delivery of water to consumers in nearly all the old cities of Europe is intermittent. Each house, therefore, must have some means at hand of reserving water enough to meet the requirements of the hours when the supply is interrupted.

Within the past few years complaints came from people living on the higher elevations that water will not flow to their second stories during the day, and the popular notion so often quoted that "water finds its own level" is not confirmed in the case of water supply to cities. The connections, stop-valves, draught from service-pipes, and the natural friction reduce the pressure in the mains to such an extent that all that part of the city ninety feet above tide is but meagerly supplied with water.

Attention has been called to the diminishing supply on the high grounds for the past two or three years, and it now becomes a positive necessity that a remedy should be applied at once, or in the near future there will be little or no water on the higher portions of the city for domestic purposes or for the protection of property against fire.

Had it not been for the connections made between the high-service pumping-main of Georgetown and the 12-inch main around Boundary street, the extreme high points of our city would have been entirely without a water supply. Necessarily this is at best a mere temporary expedient to bridge over as it were what at one time threatened serious consequences. Various plans could be adopted to remedy this defect. Engineering skill and money can devise a system of works that will give all an abundant supply of water sufficient to meet the demands of the future.

In my report of 1875 I recommended the following plan, to which I again earnestly call your attention:

Probably the most perfect and available system would be to divide the city into a high and low service. All that part of the city bounded by Boundary street and L street, northwest, and Twenty-sixth street and First street, northwest, and all east of the Capitol be supplied from a reservoir built on the heights of the city, at an elevation not less than 175 feet above tide, somewhere between Fourteenth and Seventh streets, northwest, with a capacity for 50,000,000 gallons of water, the same to be fed by pumping-engines, supplied by a 30-inch main, to run from the distributing-reservoir, through Georgetown, along Boundary street to a point below the site of the reservoir. From this reservoir a number of large mains to radiate through the northwestern part of the city and around the high grounds east of the Capitol; this is to be the high service.

The low service to be all that portion of the city bounded by L street, northwest, the river, Twenty-sixth street, and First street, northwest, to be fed by the present 12, 30, and 36 inch mains, together with a new 12-inch main, running from Rock Creek along Virginia avenue to D street south; thence along D street to the intersection of Pennsylvania avenue and Eighth street east. These, with at least six 12-inch mains, laid at equal distances between Rock Creek and Seventh street east, and running north and south, would divide the supply, equalize the distribution, and give sufficient pressure on the mains for an ample supply on the very highest elevations of the city.

Without a minute survey of localities and cost of material, &c., I am at present unable to give an exact estimate for such an improvement, but, approximating from information and experience at hand, I estimate the cost to be $1,000,000.

Some such plan as the above will meet the necessities of the situation. In regard to the laying of the large 12-inch mains north and south, they are of special necessity in any event. At present we lay 6-inch mains only, and to equalize the distribution of the present water-supply, the need of larger mains becomes apparent daily.

The flow-line of the distributing-reservoir is 145 feet above tide. The following are the levels and pressures on the mains at various points named:

Table showing elevations and pressures of Potomac water at various points in the cities of Washington and Georgetown.

Pressure taken at—	Elevations.	Pressure to the square inch in Nov., 1877.	
		Between 6 and 10 a. m.	Between 2 and 6 p. m.
NORTHWEST.	*Feet.*		
Pennsylvania avenue and Third street	8.78	30	32½
Pennsylvania avenue and Fourth-and-a-half street	11.23	30	30
Pennsylvania avenue and Seventh street	10.40	29	30
Pennsylvania avenue and Ninth street	12.58	27	28
Pennsylvania avenue and Twelfth street	13.03	27	30
Pennsylvania avenue and Fifteenth street	25.23	23	25
Pennsylvania avenue and Eighteenth street	60.17	13	15
I and Twenty-first streets	67.55	10	12½
K and Twenty-fifth streets	49.38	26	27½
F and Seventeenth streets (Winder building)	47.66	19½	20
G and Twenty-seventh streets (gas-works)	.....	39	39
F and Twenty-fourth streets (near Observatory), center of street	55	25	25
M and First streets	76	11	13
M and Fourth streets	80	8	10
M and Ninth streets	81	9	10
M and Eighteenth streets	58.22	23	23½
O and Fourth streets	78	8	10
O and Ninth streets	91	3	15
K and Fourth streets	48.50	22½	25
K and Sixth streets	55	21	22½
K and First streets	39.50	22½	25
K street and New York avenue	64.40	17½	20
K and Twelfth streets	73	13	15
K and Eighteenth streets	66.10	20	20
K and Twenty-first streets	56.10	25	25
R and Fourth streets	.....	8	10

Table showing elevations and pressures of Potomac water, &c.—Continued.

Pressure taken at—	Elevations.	Pressure to the square inch in Nov., 1877.	
		Between 6 and 10 a. m.	Between 2 and 6 p. m.
NORTHWEST—Continued.	*Feet.*		
R and Ninth streets	79	7	8
R and Tenth streets	81.50	7	7½
R and Twelfth streets	89	4	5
R and Seventeenth streets	80	9	9½
R and Nineteenth streets	90	10	10
R and Twentieth streets	92.30	7	7½
S and Sixth streets	80	7	7½
S and Seventh streets	81.25	7	7½
S and Eighteenth streets	91	7	7½
Front of City Hall	.....	14	15
Louisiana avenue opposite Fifth street	.....	19	20
Seventh and E streets (post-office)	39.22	16½	18
Seventh and F streets	42.80	22	24
Front of Ebbitt House	.....	18	19
Seventh and H streets	33.78	22½	24
Ninth and H streets	46.63	19	20
SOUTHEAST.			
Pennsylvania avenue and Second street	86	5	5
Pennsylvania avenue and Third street	81.20	7	7
Pennsylvania avenue and Eighth street	74	5	5
Pennsylvania avenue and Thirteenth street	.....	7½	7½
Eighth and E streets	70	7½	7½
Eighth and I streets (barracks)	61.30	10	10
Eleventh and D streets	65.67	5	5
Eleventh and N streets	32	24	22½
Fourteenth and E streets	.....	6	6
Nineteenth and C streets (almshouse)	.....	16	16
NORTHEAST.			
H and Third streets	44.50	15	15½
H and Fifth streets	39	17½	18
H and Ninth streets	34.40	20	21
H and Eleventh streets	41.50	17	18
H street between Fourteenth and Fifteenth	40	15	15
K and First streets	35	16	17
K and Second streets	46	25	26
Fifth and M streets	68	15	15½
L and Fifth streets	47.50	24½	25
L and Sixth streets	46.05	24½	25
SOUTHWEST.			
First and G streets	8.40	30	32½
First and I streets	8.25	30	32½
Four-and-a-half street and Virginia avenue	17.50	26	27½
Four-and-a-half and F streets	16.50	26	27½
Four-and-a-half and K streets	15.10	27	28
Four-and-a-half and P streets	.....	26	27½
Seventh and D streets	26.50	22½	25
Seventh and G streets	24.30	22½	25
Seventh and Water streets	10.60	27½	30
Tenth and B streets	29.80	22½	25
Tenth and E streets	32.80	18	20
Eleventh and Water streets	10.10	27	29
Thirteenth and B streets	36	15	20
Thirteenth and C streets	38	15	18
Fourteenth and C streets	34.50	15½	17½
GEORGETOWN.			
Beall and High streets	.....	7	7½
At Aqueduct bridge	.....	24	25
Canal and Greene street	36.3	37½	37½
Bridge and High streets	70.25	17½	19
Water and Potomac streets	12	32½	33
Water and Washington streets	36	42½	42½
Washington and Beall streets	85.4	40	45

THE PIPE-LINE.

The total length of main water-pipe in charge of this department is $148\frac{2735}{5280}$ miles, all in good condition, excepting that laid in Road street, Georgetown. This pipe is made of cement, covered with sheet-iron, and was laid sixteen years ago. It is nearly worn-out, and is continually in need of repairs. A new iron main for this street is a positive necessity. In case of fire or the use of large quantities of water, the pipe could not be depended upon to bear much pressure or use. The several fire-plugs and stop-valves are all in perfect order, and are day by day examined and oiled, so that a break or leak occurring thereto receives prompt attention.

From this satisfactory exhibit I have to except the large stop-valves on the 36-inch main and the 6-inch valves of the same pattern and make on the side-connections of this main; but I refer more especially to the large 36-inch stops, which are cheap, weak, and defective both in material and construction, having thin disks and weak stems, that give under pressure when the wrench is applied to close or open them. These valves are not to be relied upon, and at an early day should be replaced by valves properly constructed so as to combine strength and rigidity.

The following table shows the total number of miles of piping laid in the several cities named:

Names of cities.	No. of miles.	Names of cities.	No. of miles.
Washington	166	Chicago	403
Baltimore	244	Cincinnati	162
Boston	270	Montreal	120
Brooklyn	330	Philadelphia	625
Buffalo	91	Saint Louis	117
Cambridge	81	Salem	42

WASTE WATER.

A careful and thorough examination of all buildings using Potomac water has been systematically kept up by the inspectors of this department, and the following table illustrates the result:

Examination of houses from November, 1876, to November, 1877.

Number found leaking.		Number found wasting.	
Closets	432	Closets	2,520
Basins	168	Basins	120
Baths	120	Baths	72
Urinals	48	Urinals	120
Hydrants, public	912	Hydrants, private	672
Hydrants, private	312	Fountains, private	492
Fountains	24	Spigots to sinks	240
Stop-boxes	396	Street-washers	84
Mains	72		
Street-washers	324		
Service-pipes	240		
Spigots to sinks	336		
Fire-plugs	240		
Publichy drants, broke	120		
Total leaks	3,744	Total waste	4,320
		Total leaks	3,744
		Grand total	8,064

Of the above, a re-examination proved that about 80 per cent. both of waste and leaks were rectified by the owner without further trouble. In many instances additional time was given to make the necessary repairs, and in 1,612 cases the supply of water was cut off and only re-

stored when the owners had promised the waste should cease in the one case or until the necessary repairs had been made in the other.

In addition to the above I desire to add that it is found that the most prolific source of waste water comes from—

1st. The extravagant use and waste in the departments of the general government.

2d. Extravagant use and waste by citizens.

3d. The waste by use of different patterns of closets so constructed as to allow a continuous flow.

4th. Leaks in mains and services.

5th. Leaks in fixtures of residences caused either by accident or defective plumbing.

PUMPS.

The well-pumps in the District were turned over to the care of this department in September of this year, and I find the total number to be 426. The majority of them are in good repair, but many of the wells are too shallow, while others are situated too near sewers not to be contaminated with the sewage. Such contamination is not indicated by any perceptible change in the appearance of the water, but "the filtered sewage, clear and transparent, carries with it the germs of the disease."* From September to November 203 pumps have been repaired, three wells deepened and cleaned out, one new well dug, and five new pump-stocks put in place of old ones. The amount expended for labor and material amounted to $615.55.

GEORGETOWN.

The system of water-supply in Georgetown differs from that of Washington so far as relates to distribution and arrangements. All that part of the city below the level of 100 feet is supplied direct from the 12 and 30 inch mains in Bridge street, and all that portion of the city 100 feet above tide is supplied from the high-service reservoir corner of High and Road streets, the same being fed from a 10-inch main from the steam force-pump on Fourth street near High street. This pump is supplied by a 12-inch main connected with the large main in Bridge street. During the year the pump was run night and day, at at average of 32 strokes per minute, lifting 29½ gallons each stroke, thus lifting 381,612,566 gallons of water.

The following table compares the cost of pumping water in various cities:

Cost of pumping per million gallons in various cities.

Cities.	Name of pumping works.	Lift, in feet.	Millions of gallons pumped during the year.	Total cost of pumping one million gallons into reservoir.
Georgetown, D. C	Georgetown	112	382	$14 78
Brooklyn, N. Y	Ridgewood Station	176. 3	9, 998	15 50
Jersey City, N. J	Belleville	160	4, 439. 26	18 03
Philadelphia, Pa	Schuylkill	115	1, 356. 30	17 06
Cincinnati, Ohio	Old Service	159. 3	4, 141. 73	15 33
Columbus, Ohio		171. 21	486. 89	12 96
Charlestown, Mass		160. 7	2, 750. 28	7 17
Milwaukee, Wis		143	953. 72	12 50
Montreal		165	1, 326. 47	16 47
Indianapolis, Ind		117	353. 25	30 38

*American Chemist, vol. 2, page 263.

The total received during the year from water-rents, &c., from Georgetown, amounted to $5,334.90.

Number of houses cut off for non-payment, 112; again turned on, 39; leaving 73 still off.

The total number of water-takers in Georgetown is 1,176. A classification of water-takers shows the following:

Classification of water-takers.

Banks	2	Gas-works	1
Barber-shops	3	Hotels	3
Bakeries	7	Iron-works	1
Boat-house	1	Livery-stables	7
Brewery	1	Laundry	1
Bottling-depot	1	Manufactory	1
Billiard-saloon	1	Mills	6
Car-stable	1	Offices	11
Chariot-stable	1	Public halls	4
College	1	Photograph-gallery	1
Convent	1	Restaurants	24
Cemetery	1	Street-washers only	8
Coach-factories	2	Shops	10
Domestic purposes	1,122	Stables, private	7
Drug-stores	5	Stores	77
Dye-house	1	Steam-engine	1
Express-stable	1	Tan-yard	1
Foundery	1	Warehouse	1
Green-houses	4		

Statement showing amount of moneys received by the water registrar, and how disposed of from November 18, 1876, to November 10, 1877.

RECEIPTS.

To cash balance	$62 33	By deposit with the treasurer of the District of Columbia	$94,553 23
To water-tax	24,449 46	By cash balance on hand	31 4
To water-rents	66,242 36		
To water-taps	2,092 50		
To water-permits	1,738 02		
Total	94,584 67	Total	94,584 67
Arrearages water-tax collector by collector of taxes			12,137 59
Total			106,722 26

EXPENDITURES.

Labor-rolls from November 1, 1876, to November 1, 1877	$45,475 83
Office-rolls from November 1, 1876, to November 1, 1877	6,375 00
Material and contingent expenses	30,200 58
Advertising	285 27
Total	*82,336 68

* This total does not include $15,000 paid for the redemption of water-bonds.

Estimated receipts from November 1, 1877, to November 1, 1878.

Water-rents	$70,000 00
Water-taxes	35,000 00
Water-taps	3,000 00
Water-permits	2,000 00
Total	110,000 00

Estimated expenses from November 1, 1877, *to November* 1, 1878.

1 water-registrar	$2,400 00
1 clerk	1,500 00
1 clerk	1,440 00
1 clerk	1,200 00
1 clerk	960 00
Material and supplies	37,000 00
Labor	45,000 00
Miscellaneous expenses	2,500 00
Total	92,000 00

Approximate estimate for additional water-supply, $1,000,000.

Statement of water-tax uncollected November 1, 1877, *and the interest thereon.*

Date.	Assessment.	Tax.	Interest.	Total.
July 1, 1866	Amount advertised and unpaid	$4,776 62		
	Amount advertised and unpaid		$3,248 10	
	Amount not yet advertised	9 55		
	Amount not yet advertised		6 48	$8,040 75
July 1, 1867	Amount advertised and unpaid	311 46		
	Amount advertised and unpaid		193 10	504 56
July 1, 1868	Amount advertised and unpaid	783 39		
	Amount advertised and unpaid		438 69	
	Amount not yet advertised	9 40		
	Amount not yet advertised		5 26	1,236 74
July 1, 1869	Amount advertised and unpaid	753 01		
	Amount advertised and unpaid		376 50	1,129 51
July 1, 1870	Amount advertised and unpaid	1,842 38		
	Amount advertised and unpaid		810 76	
	Amount not yet advertised	54 27		
	Amount not yet advertised		23 83	2,731 24
July 1, 1871	Amount advertised and unpaid	3,397 01		
	Amount advertised and unpaid		1,290 86	
	Amount not yet advertised	73 05		
	Amount not yet advertised		27 75	4,788 67
July 1, 1872	Amount advertised and unpaid	4,303 91		
	Amount advertised and unpaid		1,377 21	
	Amount not yet advertised	113 13		
	Amount not yet advertised		36 19	5,830 44
July 1, 1873	Amount advertised and unpaid	5,847 60		
	Amount advertised and unpaid		1,520 38	
	Amount not yet advertised	230 29		
	Amount not yet advertised		59 85	7,658 12
Oct. 15, 1873	Amount advertised and unpaid	2,523 89		
	Amount advertised and unpaid		608 35	
	Amount not yet advertised	35 62		
	Amount not yet advertised		8 71	3,176 57
Oct. 24, 1873	Amount advertised and unpaid	2,343 38		
	Amount advertised and unpaid		564 75	
	Amount not yet advertised	83 18		
	Amount not yet advertised		20 37	3,011 68
Nov. 15, 1873	Amount advertised and unpaid	618 75		
	Amount advertised and unpaid		146 85	765 60
Jan. 12, 1874	Amount advertised and unpaid	2,381 23		
	Amount advertised and unpaid		543 68	
	Amount not yet advertised	51 80		
	Amount not yet advertised		11 25	2,987 96
Feb. 20, 1874	Amount advertised and unpaid	428 62		
	Amount advertised and unpaid		90 00	
	Amount not yet advertised	14 89		
	Amount not yet advertised		3 30	536 81
Aug. 15, 1874	Amount advertised and unpaid	2,307 65		
	Amount advertised and unpaid		444 21	
	Amount not yet advertised	2,307 20		
	Amount not yet advertised		443 10	5,502 16
Dec. 15, 1874	Amount advertised and unpaid	3,441 67		
	Amount advertised and unpaid		593 68	
	Amount not yet advertised	2,962 84		
	Amount not yet advertised		511 08	7,509 27
Jan. 1, 1875	Amount advertised and unpaid	32 16		
	Amount advertised and unpaid		5 45	
	Amount not yet advertised	32 16		
	Amount not yet advertised		5 45	75 22
July 12, 1875	Amount advertised and unpaid	444 80		
	Amount advertised and unpaid		61 42	
	Amount not yet advertised	1,682 55		
	Amount not yet advertised		232 74	2,421 51

Statement of water-tax uncollected November 1, 1877, *and the interest thereon*—Continued.

Date.	Assessment.	Tax.	Interest.	Total.
Sept. 1, 1875	Amount advertised and unpaid	$76 85		
	Amount advertised and unpaid		$9 98	
	Amount not yet advertised	236 80		
	Amount not yet advertised		30 78	$354 41
Oct. 1, 1875	Amount advertised and unpaid	189 48		
	Amount advertised and unpaid		23 72	
	Amount not yet advertised	619 01		
	Amount not yet advertised		77 36	909 57
Nov. 1, 1875	Amount advertised and unpaid	1,511 79		
	Amount advertised and unpaid		181 41	
	Amount not yet advertised	3,171 38		
	Amount not yet advertised		380 56	5,245 14
Dec. 1, 1875	Amount advertised and unpaid	694 57		
	Amount advertised and unpaid		79 87	
	Amount not yet advertised	1,849 65		
	Amount not yet advertised		212 70	2,836 79
Feb. 15, 1876	Amount advertised and unpaid	1,099 49		
	Amount advertised and unpaid		112 68	
	Amount not yet advertised	2,686 54		
	Amount not yet advertised		275 37	4,174 08
June 15, 1876	Amount advertised and unpaid	813 85		
	Amount advertised and unpaid		67 14	
	Amount not yet advertised	1,557 31		
	Amount not yet advertised		128 45	2,566 75
June 20, 1876	Amount advertised and unpaid	74 83		
	Amount advertised and unpaid		6 10	
	Amount not yet advertised	73 67		
	Amount not yet advertised		6 01	160 61
Aug. 1, 1876	Amount advertised and unpaid	499 47		
	Amount advertised and unpaid		37 45	
	Amount not yet advertised	3,672 33		
	Amount not yet advertised		275 42	4,484 67
Sept. 1, 1876	Amount advertised and unpaid	143 30		
	Amount advertised and unpaid		10 02	
	Amount not yet advertised	935 94		
	Amount not yet advertised		65 50	1,154 76
Sept. 15, 1876	Amount advertised and unpaid	115 30		
	Amount advertised and unpaid		7 78	
	Amount not yet advertised	1,514 22		
	Amount not yet advertised		102 20	1,739 50
Oct. 2, 1876	Amount advertised and unpaid	179 67		
	Amount advertised and unpaid		11 67	
	Amount not yet advertised	1,508 32		
	Amount not yet advertised		98 03	1,797 69
Oct. 23, 1876	Amount advertised and unpaid	144 87		
	Amount advertised and unpaid		8 84	
	Amount not yet advertised	672 81		
	Amount not yet advertised		41 03	867 55
Dec. 1, 1876	Amount advertised and unpaid	411 47		
	Amount advertised and unpaid		22 63	
	Amount not yet advertised	3,708 78		
	Amount not yet advertised		203 98	4,346 86
Jan. 15, 1877	Amount advertised and unpaid	551 62		
	Amount advertised and unpaid		26 20	
	Amount not yet advertised	3,550 97		
	Amount not yet advertised		168 75	4,297 54
Mar. 1, 1877	Amount advertised and unpaid	146 82		
	Amount advertised and unpaid		5 87	
	Amount not yet advertised	879 48		
	Amount not yet advertised		35 17	1,067 34
Apr. 16, 1877	Amount advertised and unpaid	108 04		
	Amount advertised and unpaid		3 51	
	Amount not yet advertised	742 13		
	Amount not yet advertised		24 10	877 78
May 12, 1877	Amount advertised and unpaid			
	Amount not yet advertised	376 98		
	Amount not yet advertised		10 54	387 52
May 21, 1877	Amount not yet advertised	127 74		
	Amount not yet advertised		3 39	131 13
June 1, 1877	Amount not yet advertised	39 30		
	Amount not yet advertised		97	40 27
July 10, 1877	Amount not yet advertised	2,417 11		
	Amount not yet advertised		40 27	2,457 38
Aug. 20, 1877	Amount not yet advertised	161 84		
	Amount not yet advertised		1 87	163 71
Sept. 1, 1877	Amount not yet advertised	789 40		
	Amount not yet advertised		7 89	797 29
		82,250 59	16,514 56	98,765 15

N. B.—The assessments of May 12, 1877, May 21, 1877, and June 1, 1877, were not included in the advertisement of July 10, 1877.

RECAPITULATION.

Amount in collector's hands unpaid	$43,298 95	.....	
Interest on same to November 1, 1877	12,928 26		
		$56,227 81	
Amount on books of Water Office	38,951 64		
Interest on same to November 1, 1877	3,585 70		
		42,537 34	
			$98,765 15

Property return, water department.

Material.	On hand November 15, 1876.	Received since November 15, 1876.	To be accounted for.	Expended as per report.	Remaining on hand November 15, 1877.
Axes	4	.....	4	.....	4
Branches, 4-inch	3	10	13	8	5
Branches, 6-inch	19	85	104	104	.....
Branches, 8-inch	2	.....	2	2	.....
Branches, 12-inch	.....	1	1	1	.....
Branches, 4 by 4 inch	.....	17	17	17	.....
Branches, 4 by 6 inch	5	17	22	22	.....
Branches, 4 by 12 inch	2	.....	2	2	.....
Branches, 6 by 8 inch	2	.....	2	.....	2
Branches, 8 by 12 inch	2	.....	2	1	1
Bands, 4-inch	1	42	43	41	2
Bands, 6 by $\frac{1}{4}$ inch	47	78	125	80	45
Bands, 12 by $\frac{1}{8}$ inch	.....	5	5	4	1
Boxes, stop-cock, large wooden	1	.....	1	1	.....
Boxes, stop-cock, large iron	.....	21	21	19	2
Boxes, stop-cock, small	8	79	87	87	.....
Boxes, stop-cock, tops	7	.....	7	7	.....
Bolts, brass	.....	56	56	56	.....
Bricks, paving	1,000	.....	1,000	1,000	.....
Bricks, arch	.....	100	100	100	.....
Bricks, old	500	.....	500	500	.....
Bushings, $\frac{3}{4}$-inch	.....	2	2	2	.....
Bushings, 1 by $\frac{3}{4}$ inch	.....	7	7	7	.....
Buckets	5	24	29	*27	2
Brushes, horse	1	2	3	*1	2
Brushes, whitewash	.....	1	1	*1	.....
Brushes, paint	.....	1	1	*1	.....
Brooms	3	.....	3	*3	.....
Blankets, horse	.....	2	2	.....	2
Bibbs, I. P., $\frac{1}{2}$-inch, finished	.....	1	1	1	.....
Bibbs, I. P., $\frac{3}{4}$-inch finished	.....	1	1	1	.....
Covers, stop-cock (Dale's)	150	.....	150	56	94
Covers, stop-cock	6	.....	6	6	.....
Curry-combs	.....	1	1	.....	1
Chisels, corking	30	6	36	*6	30
Chisels, flat	10	96	106	*100	6
Cement ..... barrels	1	22	23	17$\frac{3}{4}$	5$\frac{1}{4}$
Cocks, compressed	.....	1	1	1	.....
Crow-bars	.....	1	1	1	.....
Corn ..... bushels	.....	90	90	90	.....
Corn-meal ..... do	.....	47	47	47	.....
Coal ..... tons	30	739$\frac{1}{2}$	769$\frac{1}{2}$	769$\frac{1}{2}$	.....
Chamois-skins	.....	1	1	1	.....
Cotton-waste ..... pounds	10	.....	10	10	.....
Cullings, 6 by 4 inch ..... feet	200	.....	200	200	.....
Cullings, 8 by 8 inch ..... do	50	.....	50	50	.....
Cullings, 2 by 4 by 6 inch ..... do	64	.....	64	64	.....
Elbows, $\frac{1}{4}$-inch	.....	6	6	6	.....
Elbows, $\frac{1}{8}$-inch	.....	6	6	6	.....
Elbows, $\frac{3}{4}$-inch	.....	8	8	8	.....
Elbows, 1$\frac{1}{2}$-inch	.....	1	1	1	.....
Elbows, $\frac{4}{4}$ by $\frac{1}{2}$-inch	.....	2	2	2	.....
Elbows, 2-inch	.....	16	16	8	8
Extension-tongs	1	.....	1	*1	.....
Furnaces, plumber's	2	.....	2	.....	2
Fire-bricks	.....	25	25	15	10
Fire-pots	4	.....	4	*4	.....
Fire-plugs (McClelland), 6-inch	1	52	53	51	2
Fire-plugs (McClelland), 8-inch	.....	1	1	1	.....
Fire-plugs, extension, 6-inch	.....	15	15	14	1
Fire-plugs, tops	10	.....	10	10	.....

Property return, water department—Continued.

Material.	On hand November 15, 1876.	Received since November 15, 1876.	To be accounted for.	Expended as per report.	Remaining on hand November 15, 1877.
Fire-plugs, side valves	7	.....	7	7	.....
Fire-plugs, handles	.....	60	60	54	6
Fittings ..... pounds	20	47	67	67	.....
Grindstones	1	1	2	*1	1
Gasket ..... pounds	.....	500	500	225	275
Globes, lamp	4	24	28	24	4
Grease, axle	7	.....	7	7	.....
Gum-packing, sheets	10	.....	10	10	.....
Guides for stop-cocks	15	.....	15	15	.....
Gauges	16	.....	16	16	.....
Grate-bars ..... pounds	.....	1, 878	1, 878	1, 878	.....
Hydrants, iron	.....	46	46	39	7
Hydrants, tops	40	.....	40	40	.....
Hydrants, caps	.....	124	124	74	50
Hydrants, couplings	.....	52	52	52	.....
Hydrants, bolts	.....	8	8	8	.....
Hydrants, handles	12	.....	12	12	.....
Hydrants, nozzle	40	25	65	15	50
Hose, brass spuds	.....	2	2	*2	.....
Hose-sprinkler	.....	2	2	*2	.....
Hose, ¾-inch	25	.....	25	.....	25
Hose, 1-inch	50	.....	50	.....	50
Hose, 2-inch	25	.....	25	.....	25
Hose, 2½-inch	.....	25	25	.....	25
Hose-couplings, 1-inch	1	.....	2	2	.....
Hose, 3-inch	25	.....	25	25	.....
Hinges, pairs	4	.....	4	4	.....
Hay, cut ..... pounds	.....	2, 500	2, 500	2, 500	.....
Hay, long ..... pounds	.....	17, 600	17, 600	17, 600	.....
Hooks, gas, ½-inch	4	.....	4	*4	.....
Hammers, calking	6	19	25	.....	25
Hammers, paving	2	.....	2	*2	.....
Horses	2	.....	2	.....	2
Harness, sets	3	.....	3	*1	2
Iron, old ..... tons	20	.....	20	.....	20
Knowles's steam-engine	1	.....	1	.....	1
Knowles's plunging pump	1	.....	1	.....	• 1
Keys, hydrant	6	.....	6	*6	.....
Kettles, lead-melting	.....	4	4	.....	4
Keys, large and small	12	6	19	.....	19
Lanterns	14	36	50	*39	11
Lime ..... pounds	.....	5	5	2½	2½
Lock-nuts	.....	15	15	15	.....
Lamp-black papers	.....	1	1	1	.....
Meters	4	.....	4	.....	4
Monkey-wrenches	2	2	4	.....	4
Middlings ..... bushels	.....	7	7	7	.....
Mustard ..... boxes	.....	1	1	1	.....
Nails ..... kegs	.....	1	1	1	.....
Nipples, ¼-inch	17	6	13	13	.....
Nipples, ½-inch	40	4	44	44	.....
Nipples, ¾-inch	.....	20	20	20	.....
Nipples, 1-inch	.....	5	5	5	.....
Oiler, brass	1	.....	1	.....	1
Oil-cans, 5-gallon	1	.....	1	.....	1
Oil-cans, 1-gallon	.....	2	2	.....	2
Oil, lard ..... gallons	10	82	92	52	40
Oil, neat's-foot ..... do	.....	1	1	1	.....
Oil, coal ..... do	25	88	113	96	17
Oil, sperm ..... do	.....	1	1	1	.....
Oil, machine ..... do	25	125	150	150	.....
Oats ..... bushels	.....	250	250	250	.....
Pipe, cast-iron, 2-inch ..... feet	.....	203	203	147	56
Pipe, cast-iron, 4 inch ..... do	.....	45	45	45	.....
Pipe, cast-iron, 6-inch ..... do	.....	30, 605	30, 605	30, 605	.....
Pipe, cast-iron, 8-inch ..... do	264	.....	264	.....	264
Pipe, cast-iron, 12-inch ..... do	1, 533	.....	1, 533	260	1, 273
Pipe, cast-iron, 30-inch ..... do	7	.....	7	¼	6¾
Pipe, galvanized-iron, ½-inch ..... do	.....	19	19	19	.....
Pipe, galvanized-iron, ¾-inch ..... do	377	17	394	111	283
Pipe, galvanized-iron, 1-inch ..... do	455	.....	455	268	167
Pipe, lead, 1-inch ..... do	310	27	337	137	200
Pipe, lead, (old) ..... do	100	.....	100	100	.....

Property return, water department—Continued.

Material.	On hand November 15, 1876.	Received since November 15, 1876.	To be accounted for.	Expended as per report.	Remaining on hand November 15, 1877.
Pipe, terra-cotta, 4 inch ..... feet..	.....	3	3	3	.....
Pipe, tile-drain	67.	.....	67	67	.....
Pipe, composition	714	300	1,014	124	890
Plugs, wooden	216	.....	216	216	.....
Picks	101	36	137	*21	116
Pick-handles	174	.....	174	*80	94
Plumbers pumps	1	.....	1	.....	1
Plumbers tools ..... sets..	2	.....	2	.....	2
Pipe-cutter	1	1	2	.....	2
Plugs, brass, ¼-inch	.....	100	100	100	.....
Plugs, brass, ⅜ inch	.....	2	2	2	.....
Plugs, brass, ¾-inch	.....	2	2	2	.....
Pitch ..... barrels..	.....	4	4	3	1
Putty ..... pounds..	.....	16½	16½	16½	.....
Packing, hemp ..... do....	.....	1,074	1,074	1,074	.....
Pipe-tongs	.....	2	2	2	.....
Plugs, wooden, 4 by 6 inch	.....	154	154	154	.....
Rope, ½-inch ..... feet..	75	.....	75	.....	75
Reducers, ¾-inch	.....	1	1	1	.....
Reducers, 1-inch	.....	1	1	1	.....
Reducers 1½-inch	.....	2	2	2	.....
Reducers, 4 by 6 inch	6	15	21	14	7
Register, brass, index	.....	1	1	.....	1
Rammers, cast-iron	50	.....	50	.....	50
Rings, brass	.....	2	2	2	.....
Straw ..... pounds..	.....	3,300	3,300	3,300	.....
Screws, long	.....	1	1	1	.....
Scantling, 8 by 8 inch ..... feet..	.....	50	50	.....	50
Springs, brass	.....	13	13	13	.....
Shovels, long-handle	90	24	114	*32	82
Shovels, short-handle	22	.....	22	.....	22
Shovels, coal	.....	4	4	.....	4
Stoves	1	.....	1	.....	1
Street-washers	38	.....	38	1	37
Stock and dies	1	.....	1	.....	1
Solder ..... pounds..	82	51¼	133¼	103¼	30
Sleeves, patent, 4-inch	4	20	24	11	13
Sleeves, 4-inch	14	.....	14	14	.....
Sleeves, patent, 6-inch	11	16	27	18	9
Sleeves, 6-inch	2	23	25	25	.....
Sleeves, 8-inch	.....	7	7	4	3
Sleeves, 12-inch	.....	10	10	3	7
Sledges	2	.....	2	*1	1
Soap, castile ..... pounds..	.....	3½	3½	3½	.....
Sponges	.....	2	2	2	.....
Step-ladders	.....	4	4	4	.....
Stone, rotten ..... pounds..	.....	4	4	4	.....
Scales, platform (1,000 pounds)	1	.....	1	.....	1
Scale-springs	.....	1	1	.....	1
Stop-valve plates and screws	19	17	36	29	7
Stop-valve stems	.....	26	26	10	16
Stop-valves, wrought-iron, ¼-inch	.....	13	13	13	.....
Stop-valves, 4 by 4 inch, way	.....	8	8	6	2
Stop-valves, 6 by 2 inch, way	7	12	19	18	1
Stop-valves, 6 by 4 inch, way	8	24	32	26	6
Stop-valve boxes, full length	4	.....	4	4	.....
Sockets, ¼-inch	.....	3	3	3	.....
Sockets, ½-inch	.....	6	6	.....	6
Sockets, ¾-inch	.....	12	12	9	3
Sockets, 1¼-inch	.....	4	4	4	.....
Sockets, 2½-inch	.....	3	3	2	1
Taps, ½-inch	90	700	790	790	.....
Taps, ¾-inch	20	100	120	120	.....
Taps, 1-inch	20	50	70	70	.....
Tallow	.....	450	450	450	.....
Thimbles, ½-inch	.....	1	1	1	.....
Thimbles, ¾-inch	.....	2	2	2	.....
Tool-boxes	4	.....	4	1	3
Tape-line	1	.....	1	1	.....
Tapping-machine	3	.....	3	.....	3
Ts, cast-iron	.....	3	3	3	.....
Ts, 1-inch	.....	20	20	17	3
Ts, 4 by 4 inch	.....	25	25	20	5

*Condemned.

Property return, water department—Continued.

Material.	On hand November 15, 1876.	Received since November 15, 1876.	To be accounted for.	Expended as per report.	Remaining on hand November 15, 1877.
Ts, 4 by 6 inch	.....	17	17	14	3
Ts, 4 by 12 inch	.....	7	7	4	3
Ts, 6-inch	.....	87	87	64	23
Ts, 1½ to ¼ inch	.....	10	10	6	4
Ts, 1½ to ¾ inch	.....	5	5	3	2
Traps, cast-iron	.....	4	4	4	.....
Traps, drain	.....	1	1	1	.....
Unions, M. I., ½-inch	.....	15	15	15	.....
Unions, M. I., ¾-inch	.....	2	2	2	.....
Valves, globe, Ts	.....	4	4	4	.....
Valves, globe, 2-inch	.....	1	1	1	.....
Valves, gum	.....	3	3	3	.....
Valves, fire-plugs	.....	65	65	48	17
Vise	2	.....	2	1	1
Wrenches	.....	1	1	1	.....
Wheel-barrows	5	3	8	5	3
Wood, cords	.....	15	15	15	.....
Wicks, lamp	.....	13	13	13	.....
Washers, paper, ¾-inch	.....	79	79	79	.....
Washers, paper, 1-inch	.....	50	50	50	.....
Whisk brooms	.....	1	1	1	.....
Window-shutters	.....	4	4	4	.....
Window-sash	.....	6	6	6	.....
Wagons	2	1	3	.....	3
Wrenches, S-shaped	.....	1	1	.....	1

CONCLUSION.

In conclusion I desire to express my appreciation of the services of the gentlemen connected with me in the management of this department. To their zeal and intelligence is in a great measure due whatever merit there is in the organization of the water department.

Very respectfully, your obedient servant,

TIMOTHY LUBEY,
Water Registrar.

Lieut. R. L. HOXIE, U. S. A.,
Engineer, D. C.

H.—APPENDIX 3.

REPORT OF SURVEYOR, DISTRICT COLUMBIA.

SURVEYOR'S OFFICE, DISTRICT OF COLUMBIA,
WEST WING CITY HALL,
Washington, D. C., November 12, 1877.

SIR: I have the honor to transmit a report of the operations of this office since the last annual report.

Having assumed charge only on the 22d of August last, so much of the report as pertains to transactions prior to that date is necessarily compiled from such data as the files of the office afford.

The assessments for special improvements of streets, roads, and

alleys appear to have been made and completed by my predecessor. (See letter of June 30, 1877.) I beg, therefore, to submit statements prepared from the data at my command, showing assessments made since the last annual report, which I have not yet had time to verify.

SPECIAL ASSESSMENTS.

Statement A is an exhibit of the whole amount of expenditures transmitted to this office charged to the different heads shown.

Statements B and C cover, in amount, statement A, and are classified to show the expenditures forming the basis of assessments made under the board of public works, and also expenditures and assessments made under the Commissioners of the District of Columbia.

I also transmit a tabular statement of streets, avenues, and county roads assessed since the last annual report, apportioned under their respective heads, to which is added (under the heads shown) all expenditures for alleys assessed, amounting in the grand total to $19,991,917.98.

This includes the addition of 5 per cent. after deducting the amounts due from the United States, and certain allowances to the general fund —the District of Columbia, street-railways, and half of intersections of lateral streets. The amounts shown as collectable from property-holders will perhaps differ from the account of the collector by reason of drawbacks and cancellations of assessments, of which this office has no official advice.

Since the last annual report, assessments have been made on account of two hundred and thirty-two streets and avenues in Washington, Georgetown, Mount Pleasant, and Uniontown; and assessments on account of fifty-four roads and avenues in the county. One hundred and thirty-five alleys have also been assessed, and one alley in square 158 condemned by marshal's jury, and the assessment made and forwarded to the clerk in charge of special assessments.

In connection with the business of the office, six hundred and seventeen official letters have been written since the last annual report.

SURVEYS AND PLATS.

From the date of the last annual report to the 22d of August, the record-books of the office show four hundred and five surveys of lots and property to have been made; from the latter date to the present time, sixty-two surveys have been made, twenty-five subdivisions recorded and plats furnished.

Surveys have been made from time to time, as questions therein involved have been referred to this office, and plats prepared of the work performed and returned to the office of the engineer.

Plats have also been prepared for the board of assessors and the superintendents of taxes and water department.

As subdivisions of lots and parts of lots within the limits of the district are brought to this office for record, plats of the same are correctly copied into books for the use of the board of assessors and the superintendent of taxes.

GEORGETOWN.

The preparation of a book of plats, showing the ownership, location, and dimensions of each lot and subdivision in every square in Georgetown, was commenced by my predecessor. I am continuing this work,

and when complete it will furnish the basis for a proper and correct numerical-book of the town, so much needed by the board of assessors and the superintendents of taxes and water department.

The preparation of this book involves the platting therein of all lots and subdivisions, in accordance with the lines and dimensions, as shown in deeds obtained from the record-office and from actual surveys.

The descriptions by deed are in many cases so indefinite and conflicting that new surveys are necessary to establish the proper boundaries of squares and lots. In repeated instances buildings, long since established, are found to encroach several feet upon the street-lines; and property-lines, as defined by deed, frequently overlap.

In other instances, the correct area, in square feet, included within the lines, as given in the deeds, is greatly in excess of the area therein named; and good reasons exist for the belief that at least 200,000 square feet of property within the town limits is untaxed, and that the District government is a large loser of annual revenue from this source.

Under these circumstances I can but urge the necessity of a resurvey of Georgetown, and the preparation of a correct map in accordance with the lines of this survey; this will at once settle the vexed question of conflicting titles, and preclude the perpetuation of impossible boundaries.

COUNTY.

I beg to suggest that a book of plats, showing all subdivisions and their areas, and all other tracts and parcels of property in the county embraced within the limits of certain roads as boundaries, be prepared and kept in this office, and as further subdivisions and changes in ownership occur, that the changes be recorded in this book. Such a record will be of the greatest service to the board of assessors, and be a valuable book of reference.

The recommendation of my predecessor, in his last annual report, relating to defining the boundary lines of the District, and the establishment of monuments at more frequent intervals, is valuable as tending to determine questions of jurisdiction of the courts, the maintenance of roads, and the assessment of contiguous property. This recommendation deserves the attention of the Commissioners of the District.

WASHINGTON.

Since my appointment as surveyor of the District my experience has been sufficiently instructive to make it apparent that some means should be taken to establish permanent corners to squares throughout the city. Great care was doubtless taken in the original survey of the city, and it is exceedingly unfortunate that equal care has not been exercised to preserve the monuments then erected to define the squares.

In the progress of improvements the corner-stones have been mostly removed, and buildings, carelessly located or erected, have taken their places until the original street-lines have been lost; and now, when square inches have become as valuable as were square feet, it is difficult to find five consecutive squares having the same building-line.

The ornate architecture of buildings lately erected increases the difficulty of finding the true lines of squares, and the carelessness of builders in the non-observance of lines given by the surveyor adds much to the confusion.

Incorrect street-lines imply incorrect property-lines, affecting the interest of every real-estate owner; and as real estate increases in value litigation must necessarily ensue.

That property-holders be called upon to surrender that which they have for years enjoyed, through no act of their own, seems inequitable and unjust, and that some remedy be immediately devised for the adjustment and determination of this vexatious question is imperative.

No better method suggests itself than, by actual survey and measurement, to fix the boundaries of the squares as built upon, and re-establish monuments. These may be stones from two and one-half to three feet in length, rough below the surface, but accurately squared to six inches at the top, and set with the top flush with the foot-walks at recorded distances from the corners.

The intersecting lines of the squares can be permanently marked thereon by the insertion of a plug of soft metal. These corners once fixed, can be protected by law and will for all future time be permanent and correct land-marks for reference in the measurement of any and all property-lines within the squares they define.

In closing this report, I cannot but call your attention to the inadequacy of the compensation of the surveyor, as compared with the arduous duties and heavy responsibilities attaching to his office.

The municipal authorities of the city, early recognizing the high importance of these duties, exacted a heavy bond for their accurate and skilled performance, and while the duties were comparatively light and easily performed, paid a salary to him and an assistant, in addition to the fees of the office. Now, when more valuable interests are involved, his field of duties enlarged, and, for reasons before mentioned, become yearly more arduous, the surveyor is, by act of Congress, deprived of salary and assistance, while his bond remains the same as under the municipality.

Difficult problems of party lines, lost bound-stones and land-marks, that involve his bond to the full extent, are liable at any moment to arise; and after a careful analysis of all the circumstances bearing thereon and the exercise of the highest skill and accuracy in their solution, for this thoughtful labor and skill he can, under the existing law, collect a fee scarcely equivalent to the pay of his chainmen.

That the act of Congress approved June 20, 1874, was intended to work an injustice to this officer cannot for a moment be believed; that it actually does so remains a fact; and in order that the status of the office may be re-established upon a more reasonable and equitable basis, I most respectfully urge that the repeal of so much of the act as relates to the salary of the surveyor and an assistant be asked of Congress by the Commissioners of the District of Columbia.

I am, very respectfully, your obedient servant,

JNO. A. PARTRIDGE,
Surveyor of the District of Columbia.

Lieut. R. L. HOXIE, U. S. A.,
Chief Engineer of the District of Columbia.

SURVEYOR'S OFFICE, DISTRICT OF COLUMBIA,
Washington, D. C., November 12, 1877.

A.—*Statement of balances on account of expenditures rendered for special assessments by the board of public works and District Commissioners from* 1872 *to* 1877, *including all assessments made for street improvements and alleys.*

Account.	Dr.	Cr.
The board of public works and District Commissioners on account of streets and alleys expenditures and 5 per cent		$19,991,917 98
The United States	$3,917,446 45	
The general fund	10,649,209 23	
Property-holders (streets and alleys)	4,595,879 42	
District of Columbia	28,084 60	
Street railroad	45,978 70	
Drawbacks	408,903 05	
Half intersections of lateral streets, &c., awaiting assessment	346,416 53	
	19,991,917 98	19,991,917 98

SURVEYOR'S OFFICE, DISTRICT OF COLUMBIA,
Washington, D. C., November 12, 1877.

B.—*Statement of balances on account of expenditures rendered for special assessments by the board of public works from* 1872 *to* 1874, *including the last assessment made under said board.*

	Dr.	Cr.
The board of public works' expenditures and 5 per cent		$8,199,764 03
The general fund	$4,009,538 99	
Property-holders	2,320,264 55	
The United States	1,634,191 05	
Street railroads	45,978 70	
District of Columbia	28,084 60	
Drawbacks	3,470 10	
Half intersections, &c., charged to lateral streets awaiting assessments	158,236 04	
	8,199,764 03	8,199,764 03

SURVEYOR'S OFFICE, DISTRICT OF COLUMBIA,
Washington, D. C., November 12, 1877.

C.—*Statement of balances on account of expenditures rendered by the District Commissioners for special assessments from* 1874 *to* 1877, *to include the last assessment made of streets, avenues, roads, and alleys.*

	Dr.	Cr.
The board of public works and District Commissioners' expenditures and 5 per cent		$11,792,153 95
The United States	$2,283,255 40	
The general fund	6,639,670 24	
Property-holders (streets, &c.)	2,194,737 13	
Property-holders (alleys)	80,877 74	
Drawbacks	405,432 95	
Half intersections of streets not yet assessed	188,180 49	
	11,792,153 95	11,792,153 95

H.—APPENDIX A 3.

Statement of special assessments from December 1, 1876, to October 31, 1877, which includes all assessments for street improvements under the District Commissioners, to which is added, in gross, the board of public works assessments, and alleys.

Number.	Street.	From—	To—	General fund.	Property-holders.	Lateral water-service, property-holders.	Lateral sewer-service, property-holders.	Charge to intersecting streets.
	Statement of balances from last report, October 31, 1876.	.....	.....	$2,834,108 96	$1,294,830 37	$41,304 29	$7,963 50	$140,043 15
91	New Jersey avenue	M street north	O street north	14,268 80	7,134 40	.....	170 05	.....
92	R street north	Fourteenth street west	Seventeenth street west	23,776 70	11,888 34	.....	.....	7,143 54
93	Delaware avenue	C street north	Massachusetts avenue	8,418 54	4,209 26	.....	.....	.....
94	Ninth street east	H street north	K street north	6,413 92	3,206 95	.....	.....	1,181 71
95	Sixth street east	K street south	Pennsylvania avenue	28,193 88	14,096 93	465 89	.....	2,940 25
96	Third street east	Pennsylvania avenue	Virginia avenue	26,194 76	13,097 36	.....	.....	4,521 36
97	N street north	Fifth street west	New Jersey avenue	11,624 64	5,812 30	.....	.....	620 50
98	New Jersey avenue	E street	Canal	.....	.....	.....	.....	.....
99	G street north	Seventh street east	Maryland avenue	18,245 67	9,122 83	.....	.....	2,034 44
100	Sixth street east	H street north	Pennsylvania avenue	32,919 21	16,459 60	.....	160 60	18,312 13
101	O street north	New Jersey avenue	Thirteenth street west	56,114 92	26,930 31	2,799 05	.....	3,567 82
102	Sixth street east	K street north	Boundary	8,066 85	4,033 42	.....	.....	.....
103	K street north	Third street east	Seventh street east	10,296 94	5,148 46	.....	.....	1,198 20
104	..... do	Pennsylvania avenue	Rock Creek	49,045 17	22,419 04	.....	.....	3,512 16
105	Seventh street east	A street south	Boundary	65,270 07	20,620 85	.....	.....	2,937 99
106	Q street north	New Jersey avenue	Fourteenth street west	35,488 66	15,033 15	.....	.....	9,925 76
107	F street north	Seventh street east	Maryland avenue	8,397 50	4,198 74	.....	.....	945 00
108	Twenty-fifth street west	Pennsylvania avenue	K street north	2,679 14	1,339 57	.....	.....	222 90
109	Boundary street	Sixth street east	Ninth street east	.....	3,445 02	.....	.....	12,671 31
110	B street north	Fourth street east	Eleventh street east	9,732 67	4,866 33	.....	.....	761 75
111	M street south	..... do	Fourth-and-a-half street west	38,038 71	11,097 96	.....	.....	2,697 12
112	K street north	First street east	North Capitol street	17,390 08	8,059 83	.....	.....	.....
113	Fifth street east	Pennsylvania avenue	Maryland avenue	28,138 42	11,449 74	1,219 46	.....	1,217 84
114	N street south	Third street east	James Creek Canal	22,347 42	7,205 34	3,288 77	.....	3,440 00
115	First street east	C street north	Massachusetts avenue	8,293 94	3,755 01	.....	.....	350 00
116	F street north	Twenty-second street west	Twenty-third street west	4,420 00	1,451 70	.....	.....	.....
117	S street north	Fourteenth street west	Boundary	52,875 19	23,839 19	698 05	.....	3,419 39
118	E street north	Massachusetts avenue	Maryland avenue	31,857 39	15,286 46	.....	.....	2,397 08
119	First street east	C street south	F street south	10,410 54	4,849 77	.....	.....	765 00
120	O street north	Twenty-second street west	New Hampshire avenue	15,268 76	2,347 80	.....	.....	.....
121	Bridge street, Georgetown	Market street	Lingan street	24,026 99	11,333 03	.....	.....	2,919 79
122	Massachusetts avenue	New Jersey avenue	Eleventh street east	39,118 60	13,205 50	.....	.....	2,160 00
123	Beall street, Georgetown	High street	Monroe street	38,628 39	7,473 59	1,953 11	.....	200 00

H.—*Statement of special assessments from December* 1, 1876, *to October* 31, 1877, *&c.*—Continued.

Number.	Street.	From—	To—	General fund.	Property-holders.	Lateral water-service, property-holders.	Lateral sewer-service, property-holders.	Charge to intersecting streets.
124	Washington street, Georgetown	Bridge street	Water street	$13,273 33	$6,336 65			$1,320 00
125	W street north	Fourteenth street west	Fifteenth street west	1,698 95	679 47			
126	K street south	Fourth-and-a-half street west	James Creek Canal	5,192 60	2,397 79			3,101 80
127	Tenth street east	East Capitol street	I street north	40,869 12	10,168 49			2,970 00
128	L street north	Twenty-sixth street west	Twenty-seventh street west	3,277 95	1,638 96			250 00
129	L street south	Sixth street west	Seventh street west	1,462 82	731 40			
130	G street north	Twenty-second street west	Twenty-seventh street west	14,670 44	11,565 50			
131	Ninth street east	Maryland avenue	H street north	13,051 27	4,145 34			
132	H street north	Twenty-second street west	Twenty-seventh street west	40,137 88	5,843 90			
133	Virginia avenue	Seventeenth street west	Rock Creek	24,080 57	11,015 80			3,000 00
134	Nineteenth street east	B street south	E street south	380 90	786 14			
135	E street south	Eighth street east / Eleventh street east	Ninth street east / Congressional Cemetery	15,656 19	2,783 81			
136	K street south	Sixth street west	Seventh street west	2,463 04	265 16			111 00
137	Boundary street	do	Ninth street west	14,840 67	7,075 28			2,180 26
138	N street north	Twenty-first street	Twenty-fifth street west	3,258 35	1,172 73			15,637 48
139	First street west	B street south	N street west	41,375 66	16,998 75			2,970 00
140	E street south	Third street west	Sixth street west	3,728 84	1,332 62		$716 68	
141	do	Seventh street west	Thirteenth-and-a-half street	13,533 67	858 55			5,010 10
142	P street south	Fourth-and-a-half street west	Potomac River		155 32			
143	Jefferson street, Georgetown	Bridge street	Water street	10,499 44	4,525 74			
144	First street south	Sixth street east	Eighth street east	8,032 75	494 45		507 10	
145	South Carolina avenue	New Jersey avenue	do	273 06	2,346 38			
146	D street north	Fourth street east	Fifteenth street east	21,588 06	10,079 81			3,644 64
147	I street south	Third street west	Water street	15,968 46	2,576 69		99 32	
148	C street north	Sixth street east	Fifteenth street east	19,276 53	7,913 80			3,360 00
149	H street south	Third street west	Potomac River	25,260 97	4,415 44		86 32	
150	T street north	Vermont avenue	Boundary	80,103 76	31,522 11	$591 60		5,181 00
151	Samson street	Fourteenth street west	Seventeenth street west	16,804 03	6,633 51	603 48		
152	Franklin street	New Jersey avenue	Fifth street west	5,313 34	2,481 34			
153	Carroll street	First street east	Second street east	3,110 73	1,464 53	709 92		277 50
154	O street	Fourth-and-a-half street	Water street west	4,499 57	2,169 83			
155	North Carolina avenue	New Jersey avenue	Eleventh street east	1,883 22	7,052 88			500 00
156	Tenth street west	D street south	Potomac River	27,836 08	8,100 42			
157	Twelfth street west	P street north	Q street north	2,784 21	1,291 80			
158	Vermont avenue	P street circle	do		1,148 30			
159	Ohio avenue	Twelfth street west	Fifteenth street west	30 21	4,553 44			
160	Myrtle street	North Capitol street	First street east	4,438 80	1,737 96			
161	Stoddard street, Georgetown	Washington street	Congress street	4,491 63	2,245 81	35 75		
162	Defrees street	First street west	North Capitol street	3,368 15	1,684 08			

163	Fourteenth street west	B street north	B street south					
164	Seventh street west	do	do					
165	Water street south	Sixth street west	P street south		2,580 64			
166	Fourteenth street west	B street north	Ohio avenue	3,129 02	1,564 50			
167	A street north	Second street east	Fourth street east	8,527 99	3,833 17			
168	School street	Fourth-and-a-half street	Sixth street west	2,970 23	298 41			
169	South Capitol street	G street south	K street south	2,383 87	476 75			
170	Washington street	Fourth street west	Fifth street west	4,108 18	1,397 69			
171	Armory square reservation	Fourth-and-a-half street west	Sixth street west					
172	Twenty-seventh street west	G street north	K street north	3,198 95	1,599 47			
173	Greene street, Georgetown	Bridge street	Water street	9,976 48	3,748 36			
174	B street north	Sixth street west	Seventeenth street west					
175	Eighth street east	East Capitol street	I street north	37,218 97	11,723 56			
176	Water street, Georgetown	High street	Lingan street	38,543 54	18,086 23			2,962 00
177	Fifth street west	D street north	G street north	578 79	405 96			
178	M street south	Fourth-and-a half street west	Potomac River	3,296 83	122 73	105 98		
179	Eleventh street west	B street south	Potomac River	56,195 91	22,919 11		135 72	5,972 00
180	Tenth street west	C street south	Maryland avenue	336 89	67 38			
181	Virginia avenue	Second street east	Sixth street east	1,806 47	1,473 30			
182	Monroe street, Georgetown	Gay street	Beall street	5,095 28	634 08			
183	First street west	New York avenue	Boundary	12,622 49	3,714 68			
184	Twelfth street east	Pennsylvania avenue	Virginia avenue	14,902 33	2,543 43			
185	South Capitol street	D street south	Canal	3,601 33	526 86			
186	Fourteenth street east	do	Boundary	15,013 09	5,791 17			4,575 00
187	U street north	Thirteenth street west	Fourteenth street west	891 88	178 37			
188	D street south	New Jersey Avenue	Seventh street east	38,331 29	7,574 41			1,400 00
189	F street north	Third street east	Fourth street east	939 37	187 86			
190	C street north	Fourth street east	Fifth street east	87 57	43 93		19 75	
191	Eighteenth street west	P street north	Q street north	798 51	159 70			
192	Nineteenth street west	F street north	B street north	3,824 16	1,912 07			680 00
193	Virginia avenue	Fourth-and-a-half street west	Seventh street west	1,315 59	128 82		40 86	
194	Tenth street west	R street north	T street north	8,550 89	668 02			
195	New Hampshire avenue	S street north	Boundary	5,802 56	559 78			
196	Thirteenth street west	T street north	V street north	1,841 91	329 14			
197	M street south	Sixth street east	Eighth street east	6,564 52	480 08		258 86	
198	I street north	Fourth street west	Fifth street west	2,180 31	771 07			
199	V street north	Thirteenth street west	Seventeenth street west	4,058 70	541 95			
200	Seventh street east	Pennsylvania avenue	M street south	7,163 43	3,128 57		471 37	1,243 07
201	B street south	First street west	Maryland avenue	7,071 15	3,085 94			1,200 00
202	New York avenue	Seventeenth street west	Twenty-third street west	210 00	11,300 86			
203	Corcoran street	Fourteenth street west	Sixteenth street west	19,741 98	6,001 29			
204	Third street west	E street south	M street south	11,091 40	1,868 50			
205	E street north	First street east	North Capitol street	2,723 35	456 27			
206	Twenty-third street west	M street north	N street north	9,376 54	638 71			
207	Eleventh street east	A street north	H street north	17,489 77	7,967 73			
208	Ninth street east	C street north	Maryland avenue	8,130 83	702 17			
209	I street north	New Jersey avenue	North Capitol street	34,148 82	7,825 19			
210	Twenty-fourth street west	E street north	Virginia avenue	14,768 22	466 77			
211	Twenty-fifth street west	L street north	M street north		861 87			
212	D street south	Seventh street east	Eighth street east		570 54			
213	G street south	Third street west	Fourth-and-a-half street west	2,122 71	843 79			
214	South Capitol street	B street south	C street south	1,363 56	1,164 42			

Statement of special assessments from December 1, 1876, to October 30, 1877, &c.—Continued.

Number.	Street.	From—	To—	General fund.	Property-holders.	Lateral water-service, property-holder.	Lateral sewer-service, property-holder.	Charge to intersecting streets.
215	G street north	Ninth street east	Tenth street east	$936 89	$187 37			
216	Pierce street	North Capitol street	New Jersey avenue	1,784 90	892 45			
217	N street south	Sixth street west	Water street	374 45	64 56			
218	Eighth street east	D street south	C street south	1,396 40	227 85			
219	Ninth street east	East Capitol street	North A street	959 26	313 52			
220	Twenty-fifth street west	K street north	Potomac River	31,328 48	1,047 02			
221	Third street west	Maryland avenue	D street south	1,818 00	363 59		$147 01	
222	Fifth street east	Stanton place	H street north	13,412 29	6,574 89			
223	A street south	Third street east	Ninth street east	19,201 84	8,660 04			
224	Fifth street west	O street north	Boundary	20,461 47	8,636 42			$138 00
225	Thirteenth street west	N street north	Q street north	11,918 64	7,163 06			
226	Q street north	Sixteenth street west	Boundary	16,480 89	6,763 42			
227	R street north	Seventeenth street west	Twentieth street west	10,288 72	1,416 77			
228	Tenth street east	North Carolina avenue	Maryland avenue	10,634 09	2,257 00			$853 20
229	Eighth street west	F street south	Water street	25,736 18	3,337 03			
230	Tenth street west	E street north	F street north	9,155 91	3,019 93			
231	F street south	Third street west	Fourth-and-a-half street west	3,260 52	*1,017 20			
232	Twenty-third street west	Virginia avenue	Potomac River	1,768 01	2,241 50			
233	Twenty-first street west	do	B street north	2,047 01	409 40			
234	First street east	I street north	K street north	1,267 40	253 48			
235	T street north	Eighth street west	Ninth street west	1,188 90	218 46			
236	N street north	Third street west	North Capitol street	4,274 55	2,137 27			
237	L street south	do	Fourth-and-a-half street west	1,447 19	199 43			
238	Third street east	K street north	Boundary	3,077 77	1,538 88			5,086 00
239	Twenty-seventh street west	do	L street north	5,350 39	2,026 92			
240	Fourth street east	Maryland avenue	Boundary	41,742 88	18,972 13			
241	Twenty-first street west	Q street north	R street north	1,169 88	584 94			
242	I street south	Second street east	Fourth street east	4,419 42	465 33			891 52
243	G street north	do	Fifth street east	73,024 95	792 98			
244	Pennsylvania avenue	Eighth street east	Eleventh street east	7,926 52	1,511 46			
245	I street north	North Capitol street	First street east	6,154 52	839 91			
246	Second street west	H street north	New Jersey avenue	2,534 94	1,267 46			
247	Twentieth street west	D street north	E street north	1,340 48	619 08			
248	Delaware avenue	I street north	K street north	5,558 14	2,779 07			
249	Twenty-fifth street west	G street north	Potomac River	5,505 63	2,752 81			
250	M street north	First street east	New York avenue	10,615 55	5,413 76			
251	Ninth street west	D street south	Potomac River	8,402 97	1,025 25			1,413 28
252	Third street east	Maryland avenue	E street north	19,270 77	9,303 03			4,893 00
253	Third street east	Virginia avenue	Potomac River	11,703 46	4,526 61			
254	E street north	Seventeenth street west	do	28,211 77	10,699 71			
255	Fourth street east	North Carolina avenue	do	50,842 36	20,637 52			5,775 00

256	G street west	First street west	North Capitol street	1,750 00	350 00			1,072 59
257	Second street west	Maryland avenue	B street south		778 83			
258	C street south	First street west	Fifteenth street west	12,367 51	4,610 81			
259	Jefferson street, Uniontown	Munroe street	Pierce street	1,309 82	654 90			
260	Stanton avenue	County		3,809 89	1,904 94			115 34
261	C street north	First street west	Third street east	67,989 66	27,786 44			5,400 00
262	Washington street	Uniontown		2,414 87	1,118 23			
263	Fillmore street	do		22,582 05	1,276 69			
264	Fourteenth street road	County		27,541 76	8,177 45			1,340 54
265	Woodley Lane road	do		6,062 27	3,031 14			
266	Pomeroy street	Howard University		1,092 68	433 71			
267	Trumbull street	do		387 05	144 42			
268	Twelfth street west	B street north	B street south					
269	Pierce street	Uniontown		1,757 12	753 05			
270	Columbia road	County		27,834 28	11,715 63			1,382 50
271	Jackson street	Uniontown		1,018 07	509 04			95 25
272	B street south	Second street east / Eleventh street east	Sixth street east / Twelfth street east	13,486 74	4,824 89			
273	Linnean Hill road	Fourteenth street road	Rock Creek	17,877 22	3,332 52			
274	Twenty-sixth street west	K street north	Potomac River	23,231 40	11,130 83			
275	F street north	Virginia avenue	do	18,486 91	1,551 90			
276	Twenty-second street west	P street north	Q street north	2,693 72	705 02			2,727 00
277	B street north	First street east	Fourth street east	12,188 54	6,553 85			520 60
278	E street south	do	Sixth street east	7,219 59	2,080 80			
279	Mount Pleasant street	County		662 90	331 44			
280	Nichols avenue	Uniontown	Insane asylum	25,793 66	12,473 42			
281	Eighth street west (extended)	Boundary street	Grant avenue	74,275 05	5,807 36			
282	D street north	New Jersey avenue	Third street east	6,779 23	1,792 94			484 00
283	Second street east	Maryland avenue	D street north	9,855 77	4,236 95			
284	Fourth street west	New York avenue	O street north	12,508 15	4,441 12			
285	C street south	South Capitol street	Third street east	10,605 94	2,984 72			
286	Seventeenth street west	M street north	S street north	38,234 32	14,536 22			1,435 00
287	I street south	Third street west	Seventh street west	2,531 76	281 90			
288	Nineteenth street road	County		6,109 66	3,054 83			
289	Grant avenue	Seventh street road	Boundary	1,003 65	501 82			
290	D street south	Third street west	Fourth-and-a-half street west	1,342 83	506 00			
291	C street south	Sixth street east	Nineteenth street east	6,071 33	2,497 90			
292	South Carolina avenue	Tenth street east	Eleventh street east	561 38	112 27			
293	Fourth street west	Q street north	R street north	1,175 01	234 96			
294	D street south	Fourth-and-a-half street west	Fourteenth street west	33,955 82	12,798 49			2,137 50
295	Lincoln avenue	Boundary	Bunker Hill road	6,711 53	2,683 28			
296	First street east	I street south	O street south	3,597 00	1,798 50			
297	S street north	Sixteenth street west	Boundary	5,571 97	611 64			
298	Canal street	G street south	H street south	1,946 40	389 28			
299	Second street east	North Carolina avenue	Virginia avenue	13,883 42	1,265 96			
300	Stanton road	County		2,476 82	837 59			
301	Livingston road	Giesborough road	District line	4,013 81				
302	Good Hope (and)	Harrison street	County	28,135 75	5,359 96			
303	Sumner avenue	Barry farm (subdivision)	do	222 60	111 30			
304	Pomeroy avenue	County		646 65	308 95			
305	Boundary street	Ninth street west	Massachusetts avenue	108,529 89	41,311 77			4,200 00
306	F street north	New Jersey avenue	North Capitol street	3,634 38	1,473 47			

Statement of special assessments from December 1, 1876, to October 31, 1877, &c.—Continued.

Number.	Street.	From—	To—	General fund.	Property-holders.	Lateral water-service, property-holders.	Lateral sewer-service, property-holders.	Charge to intersecting streets.
307	Connecticut avenue	H street north	Boundary	$53,800 43	$19,608 07			
308	Pierce Mill road	County		928 61				
309	Spring street, or Gleason road	Fourteenth street road	Rock Creek Church road	377 46				
310	New Cut Road, Georgetown	Fayette street	Chesapeake and Ohio Canal	27,049 90				
311	Queen's Chapel road	County		2,712 16				
312	Benning's Bridge road	do		1,531 42				
313	Sherman street	Eighteenth street west	Nineteenth street west	262 50	131 25			
314	Sheridan avenue	Nichols avenue	East end of Stanton avenue, Barry Farm subdivision.	3,758 25	1,831 55			
315	Howard avenue	Old Piney Branch road	Fourteenth street road	868 90	430 26			
316	Anacostia road	Good Hope road	District line	7,492 81	3,730 76			
317	Hamilton road	County		1,447 53				
318	Conduit road	do		3,334 94	1,667 45			
319	Brentwood road	do		1,264 18				
320	Twelfth street west	N street north	O street north	485 60	97 14			
321	North Capitol street	B street north	Boundary	91,047 95	9,974 13			
322	Rock Creek Ford road	County		746 06				
323	College street	do	Howard University subdivision	2,164 73	1,082 36			
324	Hickman street	do	Barry Farm subdivision	210 00	105 00			
325	Dunbarton street, Georgetown	High street	Congress street	7,827 08	3,268 64			
326	Howard avenue	County	Barry Farm subdivision	711 70	355 85			
327	River road	do		150 00				
328	Sixth street west	I street north	Massachusetts avenue	501 41	100 88			
329	Ninth street west	Maryland avenue (and)	C street south					
330	Ninth street west	Maryland avenue (and)	D street south					
331	P street circle	At Nineteenth street (and)	Connecticut avenue					
332	Pennsylvania avenue	Intersection of Tenth st. west						
333	New Jersey avenue	Intersection of I street		350 00				
334	Pennsylvania avenue	Intersection of Tenth st. east						
335	Miscellaneous vouchers			229,582 02				
336	Potomac street, Georgetown	Grace street	Water street	1,515 70	757 84			
337	Johnson avenue	R street north	S street north	1,755 34	877 66			
338	Mill street, Georgetown	West street	Stoddard street	1,776 89	813 50			
339	Gay street, Georgetown	Montgomery street	Monroe street	2,128 51	1,064 25			
340	P street north	Fourteenth street west	Kingman's court	552 30	67 42			
341	H street north	Second street east	Third street east	805 82	161 16			
342	Thirteenth street east	G street north	H street north	2,422 91	1,089 07			$542 26
343	Sixth street west	Rhode Island avenue	Boundary	7,367 53	1,210 16			
344	Sheriff road	County		3,026 47				
345	Military road	do		1,418 87				
346	Bowen avenue	do		3,703 39				

347	Grant road	do		477 48					
348	Fourth-and-a-half street road	do		278 24					
349	Broad Branch road	do		1,686 00					
350	Ontario avenue	do		352 01					
351	Center street road	do		366 76					
352	Oak street	Mount Pleasant		482 25					
353	Murdock Mill road	County		384 13					
354	Nailor road	do		375 00					
355	Bunker Hill road	do		685 93					
356	Bates road	do		307 52					
357	Shepherd road	do		577 29					
358	Blair road	do		398 00					
359	Harewood road	do	Eastern Branch	275 32					
360	Sixth street east	M street south	Carroll Farm road	1,950 53	$975 26				
361	Daniels road	Military road	Fourteenth street road	1,000 00	500 11				
362	Rock Creek Church road	Seventh street road		2,010 93	1,005 46				
363	Eighth street west (extended)	Grant avenue		4,126 85	1,339 66				
364	Central avenue	Metropolis View	County	1,998 56	999 28				
365	Morris road	County		1,623 94	812 56				
366	Wheeler road	do		818 68	409 33				
367	Central avenue	Benning's road	District line	474 81	237 40				
368	Bowen road	Good Hope road	do	4,281 29	1,759 77				189 75
369	P street north	Third street west	Sixth street west	1,596 07	798 03				
370	C street north	Third street east	Fourth street east	2,596 13	1,298 06				
371	Suit road	Bowen road	District line	270 06	135 03				
372	Duddington place	B street south	C street south	324 62	162 30				
373	Sumner street	County		13,921 97	6,960 98				3,000 00
374	Meridian Hill, or Sixteenth street extended.			216,367 30	17,693 08				
375	Canal road, Georgetown and County	Lingan street	Chain Bridge	1,253 38	349 96				
376	Ridge road	County		12,193 95					
377	Massachusetts avenue	Twentieth street west	Boundary						
	Total			6,423,148 93	2,386,751 74	$53,775 35	$10,777 14	343,344 37	
	Deduct drawbacks, also half intersection streets assessed				256,567 10			160,736 72	
	Total			6,423,148 93	2,130,184 64	53,775 35	10,777 14	182,607 65	
	Add assessment of alleys by District Commissioners			216,521 31	80,877 74			7,107 43	
	Total			6,639,670 24	2,211,062 38	53,775 35	10,777 14	189,715 08	
	Deduct half intersection of alleys							1,534 59	
	Total			6,639,670 24	2,211,062 38	53,775 35	10,777 14	188,180 49	
	Add assessments made under board of public works			4,009,538 99	2,323,734 65			158,236 04	
	Total			10,649,209 23	4,534,797 03	53,775,35	10,777 14	346,416 53	
	Deduct drawbacks, board of public works				3,470 10				
	Grand total			10,649,209 23	*4,531,326 93	*53,775 35	*10,777 14	346,416 53	

*Above amounts added together are collectible, in all, $4,595,879.42.

Statement of special assessments from December 1, 1876, to October 31, 1877, &c.—Continued.

Number.	Street.	Railroads.	United States.	District of Columbia.	Total amount.	Front feet.	Rate per front foot.
	Statement of balances from last report, Oct. 31, 1876		$771, 879 49		$5, 090, 129 76	260, 607. 7	
91	New Jersey avenue		3, 125 16		24, 698 41	1, 394. 7	Carriage-way, $5 11.547.
92	R street north				42, 808 58	1, 907	Carriage-way, $5 08.146; main sewer, $1 52.803.
93	Delaware avenue		560 00		13, 187 80	1, 534. 6	Carriage-way, $2 31.572; main sewer, $1.
94	Ninth street east				10, 802 58	1, 256. 4	Carriage-way, $1 99.933; main sewer, $1 11.546.
95	Sixth street east		8, 676 50		54, 373 45	3, 589	Carriage-way, $2 92.238; main sewer, $1 18.020.
96	Third street east		29, 074 57		72, 888 05	2, 546. 1	Carriage-way, $3 44.849; main sewer, $1 19.481; parking, $0 41 036.
97	N street north				18, 057 44	869. 10	Carriage-way, $2 73.615; main sewer, $1 20 142.
98	New Jersey avenue		40, 306 16		40, 306 16		Carriage-way, $2 35.038.
99	G street north				29, 402 94	3, 881. 5	
100	Sixth street east		3, 995 20		71, 846 74	6, 792. 9	Carriage-way, $2 13.163; main sewer, $0 90.952.
101	O street north				89, 412 10	5, 568	Carriage-way, $4 37.877; main sewer, $0 86.432.
102	Sixth street east				12, 100 27	2, 035. 9	Carriage-way, $1 98.129.
103	K street north				16, 643 60	2, 561	Carriage-way, $2 01.033.
104	.....do		3, 293 34		78, 269 71	2, 799. 8	Carriage-way, $7 04.422, $6 30.552; main sewer, $0 68.386; parking, —.
105	Seventh street east		2, 281 50		91, 110 41	8, 793. 8	Carriage-way, $1 89.711, $0 27.391; main sewer, $1.
106	Q street north		6, 380 41		66, 827 98	5, 381. 8	Carriage-way, $2 25.35; main sewer, $1 11.587.
107	F street north		1, 866 67		15, 407 91	2, 115. 2	Carriage-way, $1 98.506.
108	Twenty-fifth street west				4, 241 61	366. 9	Carriage-way, $3 65.254.
109	Boundary street		12, 309 93		28, 426 26	1, 207. 8	Carriage-way, $2 85.262.
110	B street north		3, 047 00		18, 407 75	3, 198. 2	Carriage-way, $1 52.158.
111	M street south		24, 604 49		76, 438 28	5, 984. 11	Carriage-way, $1 89.938, $1 58.679; main sewer, $0 67.486.
112	K street north				25, 449 91	1, 449. 8	Carriage-way, $3 07.545; parking, $0 67.074; main sewer, $1 52.148; iron fence, $0 62.066.
113	Fifth street east				42, 025 46	3, 516. 3	Carriage-way, $4 54.003, $0 96.744; main sewer, $1 00.765; parking, $0 20.4.
114	N street south		5, 600 00		41, 881 53	4, 230. 8	Carriage-way, $1 70.312.
115	First street east		1, 402 20		13, 801 15	1, 487. 5	Carriage-way, $1 74.614; main sewer, $0 87.514.
116	F street north				5, 871 70	527. 11	Carriage-way, $2 75.
117	S street north		4, 697 48		85, 529 30	5, 465. 10	Carriage-way, $5 45.114; main sewer, $0 98.796.
118	E street north		4, 103 84		53, 644 77	4, 788. 10	Carriage-way, $3 17.588.
119	First street east		13, 047 70		29, 073 01	1, 325. 7	Carriage-way, $2 19.455; main sewer, $0 78.178.
120	O street north				17, 616 56	1, 806	Carriage-way, $1 30.
121	Bridge street, Georgetown				38, 279 81	1, 966. 2	Carriage-way, $5 80.119, $5 19.615; main sewer, $0 59.467.
122	Massachusetts avenue		48, 475 90		102, 960 00	7, 629. 5	Carriage-way, $1 72.375; main sewer, $0 62.952.

123	Beall street, Georgetown				48,255 09	3,788.9	Carriage-way, $1 32.338; main sewer, $1 06.534.
124	Washington street, Georgetown				20,929 98	1,546.7	Carriage-way, $3 47.983; main sewer, $0 78.481.
125	W street north				2,378 42	1,145.6	Carriage-way, $0 29.477; main sewer, $0 77.968.
126	K street south		500 00		11,192 19	2,775.10	Carriage-way, $0 56.260; main sewer, $0 88.225.
127	Tenth street east		712 00		54,719 61	6,121	Carriage-way, $1 58.417; main sewer, $0 59.
128	L street north				5,166 91	600	Carriage-way, $2 27.13; main sewer, $0 48.946.
129	L street south				2,194 22	928.4	Carriage-way, $0 78.787.
130	G street north		43,607 12		69,843 06	2,293.10	Carriage-way, $5 04.02
131	Ninth street east		801 00		17,997 61	2,402.7	Carriage-way, $1 63.929; main sewer, $0 54.349.
132	H street north		4,492 00		50,473 78	2,996.7	Carriage-way, $1 86.174; main sewer, $0 85.565.
133	Virginia avenue		58,576 82		96,673 19	5,190.3	Carriage-way, $2 08.795; main sewer, $1.
134	Nineteenth street east		5,557 38		6,724 42	1,095.4	Carriage-way, $1 06.546.
135	E street south				18,440 00	2,590.6	Carriage-way, $1 08.298, $1 08.298.
136	K street south				2,839 20	439	Main sewer, $1 03.576.
137	Boundary street				24,096 21	2,671.10	Carriage-way, $4 81.412, $4 06.200, $2 02.412; main sewer, $0 35.620.
138	N street north		49,780 65		20,068 56	996.7	Carriage-way, $0 89.410; main sewer, $0 58.
139	First street west				111,125 06	5,652	Carriage-way, $3 43.840, $1 53.818; main sewer, $1.
140	E street south				5,778 14	563.5	Main sewer, $0 97.610.
141	....do		739 64		19,402 32	1,121.9	Carriage-way, $0 58.724.
142	P street south				894 96	321	Main sewer, $0 52.967.
143	Jefferson street, Georgetown		1,412 70		15,025 18	1,733.7	Carriage-way, $2 21.111; main sewer, $0 98.059.
144	I street south		30,394 86		10,447 00	400.1	Main sewer, $1 23.587.
145	South Carolina avenue		1,592 32		33,014 30	1,267.1	Carriage-way, $1 63.629; main sewer, $0 78.480.
146	D street north				36,904 83	6,560	Carriage-way, $1 51.279, $2 14.744.
147	I street south		720 00		18,644 47	3,880	Carriage-way, $0 57.379; main sewer, $0 52.372.
148	C street north				31,270 33	6,172	Carriage-way, $1 44.653.
149	H street south		1,440 00		29,762 73	4,569.7	Carriage-way, $0 70.955; main sewer, $0 92.922.
150	T street north				118,838 47	7,439.6	Carriage-way, $3 57.863; main sewer, $1 05.390.
151	Samson street				24,041 02	3,073.4	Carriage-way, $2 75.577; main sewer, $1 02.338.
152	Franklin street				7,794 68	1,044.9	Carriage-way, $2 48 688.
153	Carroll street		253 40		5,562 68	1,110.10	Carriage-way, $1 31.840.
154	O street south		49,663 23		6,922 80	857.4	Carriage-way, $1 70.483; main sewer, $0 88.824.
155	North Carolina avenue		1,032 30		59,099 33	1,979.6	Carriage-way, $2 37.283, $0 95.357.
156	Tenth street west		1,721 78		36,968 80	2,214.6	Carriage-way, $3 86.612.
157	Twelfth street west		2,296 62		5,797 79	550	Carriage-way, $1 88.636; main sewer, $0 58.39.
158	Vermont avenue		18,242 54		3,444 92	562.6	Carriage-way, $1 62.205; main sewer, $0 71.235.
159	Ohio avenue				22,826 19	2,024.9	Carriage-way, $2 21.145; main sewer, $0 51.130,
160	Myrtle street				6,176 76	1,154.8	Carriage-way, $1 78.312.
161	Stoddard street, Georgetown				6,773 19	1,406	Carriage-way, $1 59.730.
162	Defrees street				5,052 23	1,548.8	Carriage-way, $1 08.743.
163	Fourteenth street west		77,910 71		77,910 71		
164	Seventh street west		59,219 43		59,219 43		
165	Water street south		14,427 57		17,008 21	462.2	Carriage-way, $7 12.883; sidewalk, $0 56.364.
166	Fourteenth street west		3,152 00		7,845 52	726.1	Carriage-way, $2 15.470.
167	A street north				12,361 16	1,247.9	Carriage-way, $2 62.130; main sewer, $0 68.095.
168	School street				3,268 64	1,116.10	Main sewer, $0 7.013.
169	South Capitol street		1,096 65		3,957 27	959.6	Carriage-way, $0 49.688.
170	Washington street				5,505 87	1,358.2	Brick sidewalk, &c., $1 34.362; grading, &c., $0 94.394.
171	Armory square reservation		2,031 12		2,031 12		
172	Twenty-seventh street west				4,798 42	2,128.7	Grading, &c., $0 75.169.

Statement of special assessments from December 1, 1876, to October 31, 1877, &c.—Continued.

Number.	Street.	Railroads.	United States.	District of Columbia.	Total amount.	Front feet.	Rate per front foot.
173	Greene street, Georgetown				$13,724 84	1,747.7	Surface-work, &c., $2 50.438.
174	B street north		$296,947 24		296,947 24		
175	Eighth street east		1,090 00		50,032 53	5,935.11	Surface-work, &c., $1 97.688; main sewer, $0 34.195.
176	Water street, Georgetown				59,591 77	3,803.6	Carriage-way, $4 63.440; main sewer, $0 74.775.
177	Fifth street west		2,990 04		3,974 79	1,011.4	Main sewer, $0 59.13.
178	M street south				3,525 54	1,428.1	Main sewer, $0 34.354.
179	Eleventh street west		7,236 00		92,458 74	3,037.1	Carriage-way, $6 98.416; main sewer, $0 74.08.
180	Tenth street west				404 27	163.10	Main sewer, $0 41.127.
181	Virginia avenue		22,435 09		25,714 86	1,662	Grading, &c., $0 95.266.
182	Monroe street, Georgetown				5,729 36	966.5	Grading, &c., $0 69.45.
183	First street west				16,337 17	3,188.1	Surface-work, &c , $0 61.856; main sewer, $1 04.685.
184	Twelfth street east				17,445 76	1,664.8	Surface-work, &c., $1 21.66; main sewer, $0 81.951.
185	South Capitol street				4,128 19	565	Main sewer, $0 93.263.
186	Fourteenth street east		7,837 50		33,216 76	4,328.8	Surface-work, &c., $1 14.093.
187	U street north				1,070 25	519.5	Main sewer, $0 42.528.
188	D street south		21,200 00		68,505 70	4,077	Surface-work, &c., $1 39.636; main sewer, $0 58.166.
189	F street north				1,127 23	329.5	Main sewer, $0 57.030.
190	C street north		2,195 91		2,347 16	835.7	Main sewer, $0 54.856.
191	Eighteenth street west				958 21	450	Main sewer, $0 35.486.
192	Nineteenth street west		640 00		7,056 23	1,720	Main sewer, $1 11.152.
193	Virginia avenue		1,546 03		3,031 30	293.9	Main sewer, $0 63.643.
194	Tenth street west				9,218 91	1,546	Main sewer, $0 49.784.
195	New Hampshire avenue		486 00		6,848 34	645.6	Main sewer, $0 95.658.
196	Thirteenth street west				2,171 05	690	Main sewer, $0 54.851.
197	M street south		2,713 62		10,017 08	657.9	Main sewer, $0 80.924.
198	I street north		933 49		3,884 87	1,201.5	Main sewer, $0 77.235.
199	V street north				4,600 65	849.7	Main sewer, $0 77.469.
200	Seventh street east		10,981 42		22,987 86	3,236.2	Main sewer, $1 05.828.
201	B street south		12,119 22		23,476 31	1,129.6	Carriage-way, $2 99.751.
202	New York avenue		27,492 98		39,003 84	3,719.10	Carriage-way, $6 50.205; steps, $1 00; sidewalk, &c., $2 86.389; parking, $0 33.49; grading, &c., $1 17.073; main sewer, $0 33.094.
203	Corcoran street				25,743 27	893,3	Carriage-way, $2 78.356; main sewer, $0 45.98.
204	Third street west				12,959 90	3,443.10	Main sewer, $0 58 84.
205	E street north		275 40		3,455 02	632	Main sewer, $0 77.867.
206	Twenty-third street west				10,015 25	1,245.8	Grading, &c., $0 51.275.
207	Eleventh street east		1,001 50		26,459 00	5,304.5	Sidewalk, &c., $1 96.449; grading, &c., 1 40.442.
208	Ninth street east				8,833 00	1,265	Sidewalk, &c., $1 16.950; grading, &c., $0 40.307.
209	I street north		1,190 00		43,164 01	1,941.4	Carriage-way, $5 59.787; main sewer, $0 45.363.
210	Twenty-fourth street west				15,234 99	859	Surface-work, $0 34.357.

211	Twenty-fifth street west		6,712 08		7,573 95	454.4	Grading, &c., $1 89.701.
212	D street south		2,852 72		3,423 26	248	Carriage-way, $2 89.89.
213	G street south				2,966 50	1,097.8	Main sewer, $0 90.085.
214	South Capitol street		4,070 22		6,598 20	967.7	Sidewalk, &c, $1 06.231; grading, $0 73.581; main sewer, $0 74.086.
215	G street north				1,124 26	231.9	Sidewalk, $0 80.86.
216	Pierce street				2,677 35	2,561.9	Grading, $0 34.838.
217	N street south				439 01	74.9	Main sewer, $0 86.367.
218	Eighth street east		1,160 80		2,785 05	433.8	Main sewer, $0 52.54.
219	Ninth street east				1,272 78	567.4	Main sewer, $0 74.782.
220	Twenty-fifth street west				32,375 50	1,703.7	Grading, $0 61.459.
221	Third street west		3,807 96		6,136 56	740.10	Main sewer, $0 49.078.
222	Fifth street east				19,987 18	3,588.6	Brick sidewalk, &c., $3 53.383; grading, &c., $1 72 688.
223	A street south		100 00		27,961 88	3,473.10	Brick sidewalk, &c., $2 21.146; main sewer, $6 62.552.
224	Fifth street west				29,235 89	2,043.11	Carriage-way, &c., $2 11.429; main sewer, $0 86.588.
225	Thirteenth street west		82,371 87		101,453 57	1,984.2	Carriage-way, &c., $3 66.942; gravel, $0 89.082; main sewer, $0 96.558; parking, $0 56.601; wood fence, $0 16.911.
226	Q street north		3,971 68		27,215 99	4,401.9	Brick sidewalk, &c., $1 93.507; grading, $0 76.767; main sewer, $1 23.9.
227	R street north				11,705 49	588.4	Brick sidewalk, &c., $1 76.75; main sewer, $0 57.018.
228	Tenth street east		1,137 60		14,881 89	2,670	Main sewer, $0 84.532.
229	Eighth street west				29,073 21	1,622.2	Brick sidewalk, &c., $1 75.293; grading, &c., $0 97.716.
230	Tenth street west		3,522 35		15,698 19	696.1	Carriage-way, $5 00.382.
231	F street south				4,277 72	1,097.8	Main sewer, $1 25.169.
232	Twenty-third street west		8,997 11		13,006 62	1,527	Brick sidewalk, &c., $2 07.495; grading, $1 10.01.
233	Twenty-first street west				2,456 41	805.7	Main sewer, $0 58.18.
234	First street east				1,520 88	275	Sidewalk, $0 92.175.
235	T street north				1,407 36	188.8	Main sewer, $1 15.08.
236	N street north				6,411 82	2,590.5	Surface-work, $0 82.507.
237	L street south				1,646 62	548.10	Main sewer, $0 50.
238	Third street east				9,702 65	632.8	Brick sidewalk, &c., $2 43.237.
239	Twenty-seventh street west				7,377 31	323.10	Brick sidewalk, &c., $2 96.023; main sewer, $0 97.372.
240	Fourth street east		2,400 00		63,115 01	7,630.6	Grading, $1 88.657; main sewer, $0 85.018; brick sidewalk, $2 94.598; curbing, &c., $2 49.844.
241	Twenty-first street west				1,754 82	885	Grading $0 66.094.
242	I street south				5,776 27	483.10	Main sewer, $0 96.177.
243	G street north				73,817 93	1,738	Grading, $0 45.626.
244	Pennsylvania avenue		35,106 52		44,544 50	649.8	Carriage-way, $2 21.060; main sewer, $0 52.482.
245	I street north				6,994 43	620.33	Sidewalk, &c., $0 93.94; main sewer, $0 48.492.
246	Second street west				3,802 40	674.1	Curbing, &c., $1 88.028.
247	Twentieth street west		100 00		2,059 56	582	Grading, &c., $0 53.641; main sewer, $0 55.177.
248	Delaware avenue				8,337 21	630.4	Grading &c., $4 40.879.
249	Twenty-fifth street west		9,320 00		17,578 44	1,817.4	Grading, &c., $1 51.475.
250	M street north		5,129 92		21,159 23	3,494.8	Brick sidewalk, $1 67.692.
251	Ninth street west				10,841 50	1,471.1	Main sewer, $0 77.412.

Statement of special assessments from December 1, 1876, to October 31, 1877, &c.—Continued.

Number.	Street.	Railroads.	United States.	District of Columbia.	Total amount.	Front feet.	Rate per front foot.
252	Third street east		$2,036 00		35,502 80	1,759.2	Brick sidewalk, &c., $4 52.314; main sewer, $0 70.564; parking, $0 29.256.
253	do				16,230 07	3,528.4	Carriage-way, &c., $5 57.206; main sewer, $1.
254	E street north		41,941 27		80,852 75	4,304.11	Carriage-way, &c., $3 76.141; grading, $0 55.812; main sewer, $0 78.595; carriage-way, &c., $1 89.984; parking, $0 22.4; wood fence, $0 13.236.
255	Fourth street east		17,750 00		95,004 88	5,677	Carriage-way, &c., $3 50.943; main sewer, $0 80.092.
256	G street west				3,172 59	740.4	Main sewer, $0 47.276.
257	Second street west		3,894 14		4,672 97	254	Carriage-way, $3 06.024.
258	C street south				16,978 32	483.4	Main sewer, $0 55.892; brick sidewalk, &c., $3 03.923; grading, &c., $1 41.671.
259	Jefferson street (Uniontown)				1,964 72	1,943	Grading, &c., $0 33.706.
260	Stanton avenue				5,830 17	7,613	Grading, &c., $0 25.02.
261	C street north		8,158 40		109,334 50	4,092.8	Carriage-way, &c., $5 55.124; main sewer, $1 26.261; wood fence, $0 33.416; parking, $0 69.825.
262	Washington street				3,533 10	1,901	Cobble pavement, $0 61.952.
263	Fillmore street				23,858 74	1,560	Gravel street, $0 89.28.
264	Fourteenth street road				37,059 75	6,614	Surface-work, $1 80.012.
265	Woodley Lane road				9,093 41	5,777	Surface-work, $0 52 47.
266	Pomeroy street				1,526 39	1,593	Grading, &c., $0 31.94.
267	Trumbell street				531 47	1,472	Grading, &c., $0 12.035.
268	Twelfth street west		78,594 23		78,594 23		
269	Pierce street				2,510 17	1,560	Grading, &c., $0 53.336.
270	Columbia road				40,932 41	12,167	Grading, &c., $1 08.345.
271	Jackson street				1,622 36	1,841	Surface work, $0 27.65.
272	B street south		3,944 40		22,256 03	1,708.4	Carriage-way, &c., $2 74.747; grading, $0 44.465; sidewalk, &c., $1 58.842; main sewer, $0 71.474.
273	Linean Hill road				21,209 74	13,522	Grading, &c., $0 25.046.
274	Twenty-sixth street west		2,470 00		36,832 23	3,614.9	Carriage-way, &c., $3 22.646; sidewalk, $3 81.647.
275	F street north				20,038 81	2,143.2	Grading, &c., $0 72.410.
276	Twenty-second street west				6,125 74	628	Grading, $0 44.129; main sewer, $0 98.366.
277	B street north		11,300 00		30,562 99	1,776	Carriage-way, &c., $4 48.876; sidewalk, &c., $2 01.221; main sewer $0 48.08.
278	E street south		11,840 00		21,140 39	2,961.4	Brick sidewalk, &c., $1 08.450; grading, $0 69.141.
279	Mount Pleasant street				994 34	1,591	Grading, &c., $0 20.828.
280	Nichols avenue				38,267 08	7,666.10	Grading, &c., $1 66.374.
281	Eighth street west (extended)				80,082 41	2,740	Grading, &c., $2 01.908.
282	D street north		3,020 00		12,076 17	3,224.4	Grading, &c., $0 39.072; main sewer, $0 75.
283	Sceond street east		3,101 00		17,193 72	3,722.5	Brick sidewalk, &c., $1 26.196.
284	Fourth street west		3,176 70		20,125 97	1,329	Brick sidewalk, &c., $2 06.57; main sewer, $0 68.452.

285	C street south				13,590 66	2,087	Brick sidewalk, grading, &c., $1 70.608; graveling, $0 66.993; brick sidewalk and graveling, $1 61.838; brick sidewalk and grading, $1 03.615; main sewer, $0 84.907.
286	Seventeenth street west		1,435 00		55,640 54	2,654.1	Carriage-way, &c., $6 39.766; brick sidewalk, &c., $3 45.364; main sewer, $0 65.864.
287	I street south				2,813 66	988	Main sewer, $0 47.466.
288	Nineteenth street road				9,164 49	2,406	Surface-work, $1 26.927.
289	Grant avenue				1,505 47	1,960	Grading, &c., $0 25.603.
290	D street south				1,848 83	563.10	Main sewer, $0 37.462.
291	C street south				8,569 23	7,449.3	Grading, $0 31.857.
292	South Carolina avenue				673 65	242	Brick sidewalk, $0 46.445.
293	Fourth street west				1,409 97	440	Brick sidewalk, $0 53.4.
294	D street south		18,378 02		67,269 83	4,955.8	Carriage, &c., $3 05.694; carriage-way, &c., $2 46.610; main sewer, $0 88.604.
295	Lincoln avenue				9,394 81	15,486	Grading, &c., $0 20.222.
296	First street east				5,395 50	3,561.5	Grading, &c., $0 50.498.
297	S street north		810 00		6,993 61	1,733	Main sewer, $0 49.274.
298	Canal street				2,335 68	214.10	Grading, $1 81.204.
299	Second street east		3,668 00		18,817 38	12,651	Grading, $1 29.631.
300	Stanton road				3,314 41	5,130	Grading, $0 16.526.
301	Livingston road				4,013 81		Grading, $0 12.928.
302	Good Hope				33,495 71	12,583	Grading, $0 42.593.
303	Sumner avenue				333 90	4,976	Grading, $0 02.236.
304	Pomeroy avenue				955 60	3,977	Grading, $0 08.008.
305	Boundary street				154,041 66	13,886	Carriage-way, &c., $3 35.258; main sewer, $0 76.328; carriage way, &c., $3 04.330.
306	F street north				5,107 85	1,133.8	Brick sidewalk, &c., $1 15.820; main sewer, $0 37.005.
307	Connecticut avenue		19,105 83		92,514 33		Asphalt sidewalk, &c., $2 69.237; main sewer, $0 98.084.
308	Pierce Mill road				928 61		Grading, $0 02.073.
309	Spring street, or Gleason road				377 46		Grading, $0 02.22.
310	New Cut road, Georgetown				27,049 90		Grading, $0 16.8.
311	Queen's Chapel road				2,712 16		Grading, $0 04.314.
312	Benning's Bridge road				1,531 42		Grading, $0 04.148.
313	Sherman street				393 75		Grading, $0 17.180.
314	Sheridan avenue				5,589 80	10,808	Grading, $0 03.628.
315	Howard avenue				1,299 16	3,697	Grading, $0 11.712.
316	Anacostia road				11,223 57	45,808	Grading, $0 08.167.
317	Hamilton road				1,447 53		Grading, $0 02.148.
318	Conduit road				5,002 39	1,113	Grading, &c., $1 49.816.
319	Brentwood road				1,264 18		Grading, &c., $0 01.715.
320	Twelfth street west				582 74	440	Main sewer, $0 24.285.
321	North Capitol street				101,022 08	10,274	Grading, &c., $1 04.876.
322	Rock Creek ford road				746 06		Grading, $0 02.522.
323	College street				3,247 09	2,999	Grading, $0 03.609.
324	Hickman street				315 00	2,209	Grading, $0 04.678.
325	Dunbarton street, Georgetown				11,095 72	1,137.8	Carriage-way, $2 41.416; main sewer, $0 92.088.
326	Howard avenue				1,067 55	6,024	Grading, $0 05.908.
327	River road				150 00		
328	Sixth street west				602 29	92.5	Brick sidewalk, &c., $1 09.059.
339	Ninth street west		1,388 79		1,388 79		

Statement of special assessments from December 1, 1876, to October 31, 1877, &c.—Continued.

Number.	Street.	Railroads.	United States.	District of Columbia.	Total amount.	Front feet.	Rate per front foot.
330	Ninth street west		$4,842 99		$4,842 99		
331	P street circle		11,910 27		11,910 27		
332	Pennsylvania avenue		800 64		800 64		
333	New Jersey avenue				350 00		
334	Pennsylvania avenue		316 27		316 27		
335	Miscellaneous vouchers				229,582 02		
336	Potomac street, Georgetown				2,273 54	549	Carriage-way, &c., $1 37.809.
337	Johnson avenue				2,633 00	820	Brick sidewalk, &c., $1 07.030.
338	Mill street, Georgetown				2,590 39	760.5	Brick sidewalk, &c., $1 13.538.
339	Gay street, Georgetown				3,192 76	595	Brick sidewalk, &c., $1 78.88.
340	P street north				619 72	302	Main sewer, $0 34.15.
341	H street north				966 98	255	Main sewer, $0 63.344.
342	Thirteenth street east				4,054 24	2,151	Main sewer, $1 43.101.
343	Sixth street west				8,577 69	1,399	Main sewer, $0 86.476.
344	Sheriff road				3,026 47		
345	Military road				1,418 87		
346	Bowen avenue				3,703 39		
347	Grant road				477 48		
348	Fourth-and-a-half street road				278 24		
349	Broad Branch road				1,686 00		
350	Ontario avenue				352 01		
351	Center street road				366 76		
352	Oak street				482 25		
353	Murdock Mill road				384 13		
354	Nailor road				375 00		
355	Bunker Hill road				685 93		
356	Bates road				307 52		
357	Shepherd road				577 29		
358	Blair road				398 00		
359	Harewood road				275 32		
360	Sixth street east		16,613 30		16,613 30		
361	Daniels road				2,925 79	13,287	Grading, $0 07.34.
362	Rock Creek Church road				1,500 11	6,859	Grading, $0 07.291.
363	Eighth street west (extended)				3,016 39	1,945	
364	Central avenue				5,466 51	6,715	Grading, $0 19.949.
365	Morris road				2,997 84	7,232	Grading, $0 13.816.
366	Wheeler road				2,436 50	10,220	Grading, $0 07.950.
367	Central avenue				1,228 01	11,808	Grading, $0 03.466.
368	Bowen road				712 21	329	Grading, $0 01.033.
369	P street north		586 50		6,817 31	1,733	Main sewer, $1 05.17.

370	C street north				2,394 10	659	Grading, &c., $1 21.127.
371	Suit road				3,894 19	4,431	Grading, &c., $0 29.295.
372	Duddington place				405 09	216	Iron fence, $0 62.26.
373	Sumner street				486 95	1,514	Grading, $0 04.685.
374	Meridian Hill, or Sixteenth street extended				23,882 95	4,256	Grading, $1 63.58.
375	Canal road, Georgetown and county				234,060 38	31,874	Grading, $0 60.382.
376	Ridge road				1,603 34	15,212	Grading, $0 02.300.
377	Massachusetts avenue				12,193 95		
	Total		2,283,255 40		11,501,052 93		
	Deduct drawbacks, also half intersection streets assessed				417,303 82		
	Total		2,283,255 40		11,083,749 11		
	Add assessment of alleys by District Commissioners				304,506 48		
	Total		2,283,255 40		11,388,255 59		
	Deduct half intersection of alleys				1,534 59		
	Total		2,283,255 40		11,386,721 00		
	Add assessments made under board of public works	$45,978 70	1,634,191 05	$28,084 60	8,199,764 03		
	Total		3,917,446 45		19,586,485 03		
	Deduct drawbacks, board public works				3,470 10		
	Grand total	45,978 70	3,917,446 45	28,084 60	19,583,014 93	*1,137,188	
	Total				19,583,014 93		
	Add drawback				408,903 05		
	Total expenditures received, as per statement of balances				19,991,917 98		

*=216 miles.

H.—APPENDIX 4.

REPORT OF PARKING COMMISSIONERS.

SIR: We have the honor to report the following detailed statement of the operations performed under the supervision of this commission during the year ending October 31, 1877.

Since the 1st of November, 1876, 8,654 trees have been planted in various streets and avenues; 287 trees have been required to fill the places of those destroyed by storms and accidents mainly caused by damages from runaway horses attached to vehicles; 17,519 holes have been prepared for plantings, and 178 old and decayed trees have been removed.

During the month of June the tree-boxes received a coating of lime-wash; the number so treated was 33,288.

The damages incurred by runaway and unattended horses on trees and tree-boxes form, in the aggregate, a very considerable item of expense. Could entire immunity from this source of injury be secured it would effect a saving of several thousands of dollars yearly.

At least one-half of the trees could be relieved of the boxes if horses were fastened in the absence of attendants, and these boxes could be available for newly planted trees, thus saving the cost of new ones.

The appearance of the trees and the ornamentation of the streets would also be vastly enhanced if the boxes could be removed, but this improvement cannot be effected so long as horses are privileged to gnaw and lacerate the bark and stems of the trees.

Street trees are subjected to many influences tending to render them unhealthy, and in this enfeebled condition they are particularly liable to be attacked and injured by insects.

A number of trees in various parts of the city having become covered with a scale insect, a dressing of lime and sulphur has been applied on the bark, so as to form a thick coating over the affected parts; this, although somewhat tedious in its application, proves to be a very effectual remedy for the removal of this particular insect. Caterpillars have been unusually numerous and injurious on the trees the past summer, and became a nuisance not easily abated.

A force consisting of from four to six men was kept constantly employed for several weeks in cutting and removing the branches attacked by these insects, the youngest trees receiving primary attention, as they are most susceptible of injury to the foliage during their season of growth; for it was found impracticable, with the force at command, to promptly remove the vast number of caterpillar colonies that suddenly made their appearance on trees in all parts of the city.

There are at the present time 1,500 holes prepared in readiness for trees. There are now over 40,000 trees of recent planting in this city. Each one of these requires attention in pruning, staking, weeding, &c., resulting in a yearly outlay of twelve cents per tree. As the trees advance in growth they will require less attention, although at no period of their existence can they be left entirely uncared for without deterioration. Planted in crowded streets, the roots confined under the brick and concrete pavements, in some cases suffering from an insufficiency of water, in other cases suffering from an excess, and in cold soil, the branches subjected to the reflected heat from buildings, and a prey to insects of all kinds to a much greater extent than exists in natural forests, these are all conditions of a highly artificial character, and, accordingly, the trees require a more than ordinary amount of nurture and care.

Additional trees can be planted at the rate of $2.50 per tree. This

nvolves the handling and hauling of five cart-loads of soil to and from each tree, the cost of box, &c., not including the cost of the tree, as it is estimated that sufficient trees are now on hand to meet all the wants of the coming year.

All of which is respectfully submitted.

WM. R. SMITH.
JOHN SAUL.
WILLIAM SAUNDERS,
Secretary.

Lieut. R. L. HOXIE, U. S. A.,
Chief Engineer District of Columbia.

H.—APPENDIX 5.

REPORT OF SUPERINTENDENT OF PROPERTY.

ENGINEER'S OFFICE, DISTRICT OF COLUMBIA,
Washington, November 15, 1877.

SIR: I have the honor to transmit herewith the report of the superintendent of property from December 1, 1876, to November 1, 1877, respectfully inviting attention to the recapitulation, as follows, viz:

Total to be accounted for	$238,935 12
Amount issued	187,449 39
Balance remaining on hand	51,485 73

A comparatively small amount of construction material has been purchased during the year, owing to the fact that at the close of last year a quantity was left on hand which had been purchased in anticipation of the demands of public improvements discontinued by the action of Congress. The amount now on hand will be speedily consumed in event of any considerable work being ordered.

The system of contracting for supplies has worked very smoothly during the entire year, demonstrating the fact that this plan is the most economical way of supplying the needs of the various branches of the District government, and it has proved acceptable to the heads of the departments. A great saving has been effected in nearly every class, and, as a rule, the supplies have been of a better quality than in previous years.

Very respectfully,

E. B. TOWNSEND,
Superintendent of Property.

Lieut. R. L. HOXIE, U. S. A.,
Engineer District of Columbia.

CLASS 1.—*Stationery.*

Total as per invoices	$7,016 1
Issued to—	
District offices	1,300 96
Engineer, District of Columbia	914 35
Fire department	50 79
Police court	248 92
Water-registrar	560 12
Auditor, District of Columbia	196 17
Collector, District of Columbia	169 82
Public schools	2,342 66
Treasurer, District of Columbia	82 10
Washington Asylum	143 85

Commissioners, District of Columbia	$437 47
Attorney, District of Columbia	140 67
Surveyor, District of Columbia	311 23
Register of wills	117 00
	7,016 11

CLASS 2.—*Blank forms and printing.*

Total as per invoices	4,511 18
Issued to—	
Commissioners, District of Columbia	325 95
Engineer, District of Columbia	520 42
Collector, District of Columbia	415 80
Attorney, District of Columbia	523 95
Water-registrar	457 15
District offices	933 55
Public schools	870 55
Police court	131 10
Fire department	187 72
Washington Asylum	17 99
Board of assessors	127 00
	4,511 18

CLASS 3.—*School books and supplies.*

Total as per invoices	$3,135 42
Issued to—	
Public schools	3,127 65
Washington Asylum	7 77
	3,135 42

CLASS 4.—*Furniture.*

Total as per invoices	10,398 38
Issued to—	
Public schools	8,604 47
Fire department	459 07
Police court	77 47
Washington Asylum	842 95
District offices	414 42
	10,398 38

CLASS 5.—*Hardware.*

Total as per invoices	24,398 19
Issued to—	
Fire department	830 20
Washington Asylum	1,416 81
Engineer, District of Columbia	658 98
District offices	595 31
Public schools	2,179 38
Water-registrar	17,232 46
Parking commission	700 01
Police court	149 41
Fire-alarm telegraph	635 63
	24,398 19

CLASS 6.—*Groceries and provisions.*

Total as per invoices	10,019 69
Issued to—	
Washington Asylum	9,737 29
Public schools	25 34
District offices	39 75
Engineer, District of Columbia	74 13

Fire department	$44 34
Police court	5 50
Parking commission	18 35
Water-registrar	74 99
	10,019 69

CLASS 7.—*Dry goods and notions.*

Total as per invoices	4,053 50
Issued to—	
Washington Asylum	3,709 97
Fire department	268 74
Police court	1 25
Public schools	44 16
District offices	18 60
Fire-alarm telegraph	10 78
	4,053 50

CLASS 8.—*Boots and shoes.*

Total as per invoices	1,471 20
Issued to—	
Washington Asylum	1,430 70
Engineer, District of Columbia (sewer-cleaners)	40 50
	1,471 20

CLASS 9.—*Drugs, chemicals, and paints.*

Total as per invoices	3,416 57
Issued to—	
Washington Asylum	1,497 66
Fire department	562 10
Public schools	304 72
Fire-alarm telegraph	525 00
Police court	3 74
District offices	128 07
Water-registrar	307 52
Engineer, District of Columbia	47 86
Parking commission	39 90
	3,416 57

CLASS 10.—*Saddlery.*

Total as per invoices	12,226 33
Issued to—	
Fire department	3,048 71
Fire department (engine-hose)	6,800 00
Police court	56 40
Parking commission	1,841 50
Water-registrar	67 30
Washington Asylum	73 41
District offices	188 87
Engineer, District of Columbia	150 14
	12,226 33

CLASS 11.—*Lumber and building materials.*

Total as per invoices	12,593 05
Issued to—	
Northern Market	26 89
Public schools	3,260 90
Engineer, District of Columbia	1,473 74
Parking commission	6,330 45
Washington Asylum	716 77
Fire Department	472 98
Water-registrar	311 32
	12,593 05

CLASS 12.—*Forage.*

Total as per invoices	$5,503 01
Issued to—	
Fire department	3,884 24
Washington Asylum	1,209 76
Water-registrar	409 01
	5,503 01

CLASS 13.—*Fresh and salt meats.*

Total as per invoices	4,843 84
Issued to—	
Washington Asylum	4,843 84

CLASS 14.—*Ice.*

Total as per invoices	294 95
Issued to—	
District offices	151 13
Fire department	66 99
Fire-alarm telegraph	9 80
Public schools	20 95
Police court	34 88
Washington Asylum	11 20
	294 95

CLASS 15.—*Street lamps, lamp-posts, and castings.*

Total as per invoices	3,040 15
Issued to—	
Engineer, District of Columbia	3,040 15

CLASS 16.—*Fuel.*

Total as per invoices	12,948 7
Issued to—	
Water-registrar	3,340 87
District offices	444 62
Fire-alarm telegraph	23 33
Fire department	315 97
Metropolitan police	50 40
Public schools	7,848 19
Washington Asylum	893 11
Police court	3 09
Parking commission	10 88
Surveyor, District of Columbia	5 69
Northern market	12 59
	12,948 74

CLASS 17.—*Construction material.*

Balance on hand November 30, 1877		95,012 88
Amount received		12,551 70
Total to be accounted for		107,564 58
Issued:		
Deduct 30 per cent. difference between bond value and cash	$28,503 86	
Issued to engineer, District of Columbia	27,574 99	
		56,078 85
Balance remaining on hand		51,485 73

CLASS 18.—*Miscellaneous supplies, expenses, and repairs.*

Total as per invoices	$11,500 23
Issued:	
Hauling, livery, washing, &c	863 75
District offices	4,777 93
Fire department	3,065 31
Washington Asylum	541 70
Water-registrar	491 00
Overseer of lamps	273,63
Board of assessors	107 64
Public schools	157 85
Yellow van (police court)	109 00
Surveyor, District of Columbia	47 85
Parking commission	1,064 57
	11,500 23

H.—APPENDIX 6.

REPORT OF OVERSEER OF LAMPS AND GAS.

ENGINEER'S OFFICE,
November 12, 1877.

SIR: I herewith submit my report of work done and expenditures incurred from November 30, 1876, to November 12, 1877, as shown by the certified bills of this office, giving a total of $132,318.

During the past year the street lamps have been lighted 2,200 hours, and the contract with the Washington Gas-Light Company has been fully carried out. Any derelection of duty on the part of gas company's agents to perform their duties to the city, when reported to the gas company, was always promptly remedied, and when requested the agent dismissed.

I would also state that the Washington Gas-Light Company has cheerfully complied with all requests from this office for the extension of their street mains for the erection of lamps, which in many cases was beyond any point where they could expect any private consumption. The main portion or heart of the city has, with but some few exceptions, been fully lighted, and as the tendency of builders is at present to the more remote portions of the city, the demand for lamps necessarily follows, and in some instances two or more squares of unimproved property have to be lighted to reach the improved property beyond; therefore, the erection of street lamps instead of decreasing is steadily increasing, and the city has not only to bear the burden of lighting its own lamps, but is also burdened with a large number of those belonging to the general government, to which the attention of Congress should be called in their appropriations for this District.

There have been erected during the past year 199 lamps, the principal portion of which are in the northwestern section of the city.

The great demand at present, if not the necessity, of street lamps is in the northeastern section of the city, which is being well built up and will require lighting.

I would also call your attention to the necessity of street-lamp signs, which are badly needed, and are not only a great convenience to strangers, but also to the residents of the District.

At the present time the lamps of Washington are almost equal in number to those in the city of Baltimore, whose population is three times as great.

The consumption of gas in the several departments of the city has been considerably reduced during the past year. In Georgetown but few lamps have been erected, as the city is well lighted, with the exception of some few streets in the suburbs. During the past year the lamps have been extended to the boundary on High street, which is a great convenience, not only to the inhabitants of that city, but also to the inhabitants of Washington, as it is a great thoroughfare and one of the principal drives of that city.

I also submit a tabular statement of expenditures for lamps and gas from November 30, 1876, to November 12, 1877.

Very respectfully,

W. H. BAILEY,
Overseer.

Lieut. R. L. HOXIE, U. S. A.,
Engineer of District Columbia.

TABULAR STATEMENT OF EXPENDITURES FOR LAMPS AND GAS FROM NOVEMBER 30, 1876, TO NOVEMBER 12, 1877.

Washington City.

Gas for street lamps	$112,996 11
Gas for District offices	719 90
Gas for police court	49 31
Gas for school-houses	433 72
Gas for engine-houses	1,338 91
Gas for market-houses	884 53
171 lamp-posts purchased	1,183 20
210 lanterns purchased	1,049 20
Service-pipe fittings, &c	1,311 88
Repairs to lamp-posts, incidental to improvements	130 06
500 lamp-posts painted	78 00
12 arms for old lamp-posts	9 00
	120,183 82
Number of street lamps in Washington, D. C., November 30, 1876	3,278
Erected since November 30, 1876	171

Georgetown, D. C.

Gas for street lamps	10,850 84
Gas for market-house	212 81
Gas for engine-house	105 87
Gas for pump-house	33 35
29 lamp-posts purchased	198 52
47 lanterns purchased	234 50
For service-pipe fittings, &c	213 88
Glass and globes	91 65
Tin repairs	158 51
13 gross of matches	31 25
1 lamp-ladder	3 00
	132,318 00
Number of street lamps in Washington, D. C	3,449
Number of street lamps in Georgetown	371
Total number in District of Columbia	3,820

Estimate for gas for public offices and streets, for erection and repairs of lamps, for the cities of Washington and Georgetown for the fiscal year ending June 30, 1878:

Gas for public offices and streets	$150,000 00
Erection and repairs of street lamps	6,000 00

H.—APPENDIX 7.

REPORT OF OVERSEER OF REPAIRS FROM DECEMBER 1, 1876, TO OCTOBER 1, 1877.

SYNOPSIS.

	Labor.
Salaries	$2,481 61
Miscellaneous	6,556 24
Northern market	78 75
Work of improvement of streets, &c	4,894 25
Repairs of contract-work, charged to contractor	6 63
Cleaning and repairs of sewers and traps	13,531 49
Repairs	23,980 74
	51,529 71

Report of the overseer of repairs from December 1, 1876, to October 1, 1877.

	Labor.	Material.	Total.
Salaries	$2,481 61	.....	$2,481 61
MISCELLANEOUS.			
Messengers, Morrison building	1,627 25	.....	1,627 25
Police duty	886 00	.....	886 00
Parking commission	1,339 00	.....	1,339 00
Cook school-building, taking down and cleaning brick	262 50	.....	262 50
Old jail, taking down and cleaning brick	2,255 37	.....	2,255 37
Superintendent of old jail	38 00	.....	38 00
Delivering tax bills	78 50	.....	78 50
Sixth street property yard	69 62	.....	69 62
Total	6,556 24	.....	6,556 24
MARKET-HOUSES.			
Repairing market Seventh and O streets, northwest	70 75	$99 45	178 20
NEW WORK.			
M street, southeast, improving	1,481 62	26 16	1,507 72
South Capitol street, improving	1,385 13	.....	1,385 13
N street, southeast, improving	223 12	.....	223 12
Third street, southeast, improving	262 50	.....	262 50
E street, southeast, improving	167 25	.....	167 25
O street, northwest, improving	176 88	.....	176 88
I street, northwest, improving	533 63	.....	533 63
Sewer in alley in square ——. No building	75 00	84 09	159 09
Sewer in alley in square ——. No building	103 00	87 50	190 50
Sewer in alley in square ——. No building	39 87	52 75	92 62
Sewer in alley in square ——. No building	75 00	13 65	88 65
Thirteenth and P-street circle, improving to be charged to owners of property	371 25	.....	371 25
Total	4,894 25	264 09	5,158 34
CONTRACTORS.			
E. E. Barnes, repairing sewer corner Third and G streets, northeast	6 63	1 37	8 00
CLEANING SEWERS.			
Cleaning sewers	7,524 65	.....	7,524 65
CLEANING SEWER-TRAPS.			
Cleaning sewer-traps	3,458 57	.....	3,458 57
REPAIRING SEWERS.			
Sixth street, southwest	12 00	.....	12 00
Thirteenth between F and G streets, northwest	7 25	18 31	25 56

Report of the overseer of repairs, &c.—Continued.

	Labor.	Material.	Total.
REPAIRING SEWERS—Continued.			
North Capitol and E streets	$63 75	.....	$63 75
K between Sixteenth and Seventeenth streets, northwest	40 25	$4 72	44 97
Eighth street, gravel pits, northwest	16 00	3 16	19 16
Sixth between E and F streets, northwest	18 00	2 72	20 72
Missouri avenue between Third and Sixth streets	18 00	4 58	22 58
Vermont avenue between S and T streets, northwest	12 00	.....	12 00
Delaware avenue and G street, northeast	6 00	.....	6 00
Boundary and Twenty-second streets, northwest	3 00	.....	3 00
South Capitol between B and C streets	7 50	.....	7 50
H between First and North Capitol streets, northwest	3 50	.....	3 50
New York avenue between Thirteenth and Fourteenth streets, northwest	3 00	.....	3 00
Twelfth street between Ohio and Pennsylvania avenues, northwest	4 00	12 20	16 20
Stoddard between Congress and Washington streets	5 00	7 94	12 94
H and Eighteenth streets, northwest	21 50	9 00	30 50
B and Eleventh streets, northwest	4 50	.....	4 50
M between Seventh and Eighth streets, southeast	15 00	2 16	17 16
Eleventh street and Pennsylvania avenue, northwest	3 00	.....	3 00
B between Tenth and Eleventh streets, northwest	3 00	.....	3 00
First and D streets, southwest	13 50	49 40	62 90
Fifteenth between S and T streets, northwest	201 40	4 98	206 38
Uniontown	285 25	.....	285 25
North Capitol between L and M streets	121 13	.....	121 13
Fourth and Q streets, northwest	18 00	27 30	45 30
C street between New Jersey avenue and North Capitol street, northwest	289 75	.....	289 75
D between Ninth and Tenth streets, northwest	198 25	.....	198 25
Second and High streets, Georgetown	164 50	.....	164 50
Prospect street, Georgetown	30 75	.....	30 75
First and Market streets, Georgetown	69 75	.....	69 75
First street and Massachusetts avenue, northeast	6 25	.....	6 25
Alley in square No. 242	32 35	4 05	36 40
Alley in square No. 245	21 50	5 13	26 63
Total	1,718 63	155 65	1,874 28
REPAIRING TRAPS AND MANHOLES.			
Trap, V between Eleventh and Twelfth streets, northwest	4 50	82	5 32
Trap, Bridge and High streets, Georgetown	7 62	25	7 87
Trap, New Jersey avenue and D street, northwest	4 38	1 92	6 30
Trap, Twelfth and C streets, northwest	4 25	26	4 51
Trap, Second and D streets, northwest	1 50	47	1 97
Trap, High and Gay streets Georgetown	6 25	.....	6 25
Trap, Twenty-first street and Boundary, northwest	12 00	95	12 95
Trap, New Jersey avenue and B street, northwest	7 50	1 87	9 37
Trap, New Hampshire avenue and Twenty-fourth street, northwest	6 00	.....	6 00
Trap, Seventh street and Massachusetts avenue, northeast	21 00	14 72	35 72
Trap, Nineteenth and H streets, northwest	4 50	3 50	8 00
Trap, Fourth street and Massachusetts avenue, northeast	15 00	.....	15 00
Trap, Massachusetts avenue between Sixth and Seventh streets, northwest.	3 50	3 50	7 00
Trap, P between Sixteenth and Seventeenth streets, northwest	2 50	30	2 80
Manhole, H between Third and Fourth-and-a-half streets, southwest.	.....	1 40	1 40
Manhole, Third between H and N streets, southwest	.....	4 20	4 20
Manhole, I between Third and Fourth-and-a-half streets, southwest.	.....	2 80	2 80
Manhole, First and M streets, southwest	.....	1 40	1 40
Manhole, Fifteenth and Q streets, northwest	.....	1 40	1 40
Manhole, Rhode Island avenue between Fourteenth and Fifteenth streets, northwest.	.....	1 40	1 40
Manhole, Fourth and K streets, northwest	.....	1 40	1 40
Manhole, First and G streets, southwest	.....	1 40	1 40
Trap, Eleventh street and Virginia avenue, southwest	4 50	.....	4 50
Trap, Twelfth street and Maryland avenue, southwest	4 50	.....	4 50
Trap, Third street and South Carolina avenue, southeast	4 50	14	4 64
Trap, Second and C streets, northeast	2 50	36	2 86
Trap, near Tenth and E streets, southeast	13 00	4 10	17 10
Trap, Fifth and East Capitol streets east	3 50	87	4 37
Trap, Thirteenth and D streets, southwest	4 00	60	4 60
Trap, Third street and Virginia avenue, southwest	2 50	29	2 79
Trap, Fourth and C streets, southeast	4 50	.....	4 50
Trap, Fourth street and Pennsylvania avenue, southeast	4 50	.....	4 50
Trap, Fifteenth and L streets, northwest	3 00	.....	3 00
Trap, Eighth and E streets, southeast	6 50	75	7 25
Trap, Twenty-seventh and K streets, northwest	6 00	.....	6 00
Trap, First and B streets, southeast	2 50	.....	2 50
Trap, Sixteenth and L streets, northwest	2 50	.....	2 50

Report of the overseer of repairs, &c.—Continued.

	Labor.	Material.	Total.
REPAIRING TRAPS AND MANHOLES—Continued.			
Trap, Tenth and M streets, northwest	$4 00		$4 00
Trap, Sixteenth between K and L streets, northwest	3 00		3 00
Trap, Sixth and E streets, northwest	1 50		1 50
Trap, Twelfth and B streets, northwest	4 50		4 50
Manhole, Fourth and Q streets, northwest		$1 40	1 40
Trap, New Jersey avenue and P street, northwest	2 50		2 50
Trap, Tenth and Grant streets, northwest	1 20	21	1 41
Trap, Fifteenth street and New York avenue, northwest	60		60
Trap, Twenty-second and H streets, northwest	1 80		1 80
Trap, Third and G streets, northwest	4 00		4 00
Trap, Sixth and O streets, northwest	3 00	35	3 35
Manhole, Eleventh between G and H streets, northwest	2 50		2 50
Trap, L between Fifth and Sixth streets, northwest	7 50	35	7 85
Trap, Fourth street and Virginia avenue, southeast	9 00		9 00
Trap, First and C streets, southeast	11 00	9 07	20 07
Trap, Tenth street and Massachusetts avenue, northeast	17 00	11 18	28 18
Trap, Fourth between M and Ridge streets, northwest	14 50	6 93	21 43
Trap, Sixth and H streets, northwest	3 00	14	3 14
Trap, Eleventh and I streets, northwest	3 00	25	3 25
Trap, Seventh and F streets, northwest	4 50	14	4 64
Trap, Thirteenth-and-a-half and C streets, northwest	4 50		4 50
Trap, Eleventh street and Massachusetts avenue, northeast	17 00	33 09	50 09
Trap, Eighth street and Massachusetts avenue, northeast	17 00	27 44	44 44
Trap, Seventh street and Massachusetts avenue, northeast	17 00	26 89	43 89
Trap, Sixth and B streets, southwest	6 00	1 00	7 00
Trap, Second between C street and Massachusetts avenue, northeast.	5 40	28	5 68
Trap, Massachusetts avenue between North Capitol street and Delaware avenue, northeast.	3 60		3 60
Trap, Delaware avenue and H streets, northeast	13 00		13 00
Trap, H between First and North Capitol streets, northwest	3 00		3 00
Trap, Fourth-and-a-half and C streets, southwest	2 50	25	2 75
Trap, Fourth-and-a-half and F streets, southwest	2 50		2 50
Manhole, Twentieth and K streets, northwest	2 40		2 40
Manhole, Seventeenth and I streets, northwest	4 80	36	5 16
Trap, Second and Lingan streets, Georgetown	17 00	8 44	25 44
Trap, New Jersey avenue and K street, northwest	39 50	26 50	66 00
Trap, Third and Q streets, northwest	24 00	27 30	51 30
Trap, Sixth and K streets, northeast	14 50		14 50
Trap, Eleventh and T streets, northwest	13 00		13 00
Manhole, Twenty-first between K and L streets, northwest	1 50	54	2 04
Trap, Twenty-first and L streets, northwest	3 00	70	3 70
Manhole, Rhode Island avenue between Fifteenth and Sixteenth streets, northwest.	13 50	70	14 20
Trap, Eleventh and W streets, northwest	3 50		3 50
Trap, L and North Capitol streets	22 00	9 00	31 00
Trap, K and North Capitol streets	28 00	14 00	42 00
Trap, I and North Capitol streets	30 00	16 52	46 52
Trap, Myrtle, between First and North Capitol streets, northeast	18 00	7 65	25 65
Trap, Fifth street and Massachusetts avenue, northeast	19 50	4 50	24 00
Trap, Thirteenth and P streets, northwest	8 50		8 50
Trap, D street and Indiana avenue, northwest	6 00		6 00
Trap, Fourth-and-a-half and H streets, southwest	9 00		9 00
Trap, Tenth between H and I streets, northwest	4 50		4 50
Trap, Fifth and I streets, northwest	3 00		3 00
Trap, N between Fourth and Fifth streets, northwest	4 25		4 25
Trap, Vermont avenue and N street, northwest	6 00		6 00
Trap, Congress between Bridge and Gay streets, Georgetown	3 00		3 00
Trap, Valley and West streets, Georgetown	6 00		6 00
Trap, First street and Massachusetts avenue, northwest	21 15	11 52	32 67
Trap, H between Fourth and Fifth streets, northwest	3 00	25	3 25
Trap, Fifth and G streets, northwest	1 50		1 50
Trap, Third and D streets, northwest	3 00		3 00
Trap in alley in square No. 634	21 00	29 89	50 89
Trap in alley in square No. 85	6 00		6 00
Manhole in alley in square No. 278		1 40	1 40
Trap in alley in square No. 196	9 00		9 00
Trap in alley in square No. 566	6 00	42	6 42
Trap in alley in square No. 511	9 00	35	9 35
Trap in alley in square No. 366	3 00	28	3 28
Trap in alley in square No. 729	11 75	74	12 49
Trap in alley in square No. 365	8 34		8 34
Trap in alley in square No. 449	13 85	4 20	18 05
Trap in alley in square No. 425	17 50	2 63	20 13
Trap in alley in square No. 454	9 00		9 00
Trap in alley in square No. 533	12 50	11 29	23 79
Trap in alley in square No. 539	6 50	1 20	7 70
Trap in alley in square No. 371	4 50		4 50
Total	829 64	350 42	1,180 06

Report of the overseer of repairs, &c.—Continued.

	Labor.	Material.	Total.
REPAIRS COUNTY ROADS AND BRIDGES.			
Anacostia	$62 25		$62 25
Naylor	36 50		36 50
Canal	215 33	$195 25	410 58
Piney Branch	242 00	27 30	269 30
McClelland	216 00		216 00
New Cut	426 25	65 00	491 25
Broad Branch	18 50		18 50
Bunker Hill	413 00		413 00
Seventh street	271 75		271 75
Wheeler	47 50		47 50
Bowen	81 00		81 00
Woodley Lane	26 50	7 35	33 85
Spring	49 75		49 75
Good Hope Hill	251 87		251 87
Argyle Mill	27 00		27 00
Pierce Mill	98 50		98 50
Bennings	458 49		458 49
Columbia	36 25		36 25
Carroll	529 25		529 25
Sheridan	145 51		145 51
Suit	13 50		13 50
Queen's Chapel	350 50		350 50
Walker	13 50		13 50
Chase	13 50		13 50
Nichols	92 10	1 65	93 75
River	14 00	18 00	32 00
Bladensburg	550 75		550 75
Magnolia	305 50		305 50
Milk-house Ford	49 25		49 25
Military	106 75		106 75
Total	5, 162 55	314 55	5, 477 10
SUNDRIES.			
Repairs of pumps	2, 642 30	295 07	2, 937 37
Time-keeper	615 00		615 00
Plank walk, N between Twenty-fourth and Twenty-fifth streets, northwest.	16 75	9 25	26 00
Plank walk, P between First and North Capitol streets	32 50	13 50	46 00
Plank walk, B between Eleventh and Fourteenth streets, northeast.	8 00	8 00	16 00
Painting N-street bridge, over canal	106 25	76 50	182 75
Painting bridges over Rock Creek	85 62	37 50	123 12
Repairing both sides James Creek canal	1, 134 18	34 53	1, 168 71
Repairing abutments and building chutes at P-street bridge	689 19	86 00	775 19
Cleaning gutters			
Filling Chipman's lot, Sixth street and Maryland avenue northeast.	1, 064 94		1, 064 94
	247 00		247 00
Total	6, 641 73	560 35	7, 202 08
REPAIRS OF ALLEYS.			
Alley in square No. 73	23 50	6 06	29 56
Alley in square No. 117	48 00		48 00
Alley in square No. 159	164 40	20 20	184 60
Alley in square No. 185	3 00		3 00
Alley in square No. 199	51 00		51 00
Alley in square No. 218	86 00	2 00	88 00
Alley in square No. 222	33 00		33 00
Alley in square No. 225	57 50	4 25	61 75
Alley in square No. 226	62 00	4 75	66 75
Alley in square No. 252	37 75		37 75
Alley in square No. 254	4 00		4 00
Alley in square No. 279	70 50	3 15	73 65
Alley in square No. 288	104 63	1 75	106 38
Alley in square No. 310	97 50	2 00	99 50
Alley in square No. 315	30 00	50	30 50
Alley in square No. 317	41 00	4 70	45 70
Alley in square No. 323	17 50	50	18 00
Alley in square No. 335	36 00	35	36 35
Alley in square No. 338	71 00		71 00
Alley in square No. 340	26 63		26 63
Alley in square No. 347	17 75	70	18 45
Alley in square No. 364	38 00	50	38 50
Alley in square No. 365	69 50		69 50
Alley in square No. 366	6 45	17	6 62
Alley in square No. 367	12 00	50	12 50

Report of the overseer of repairs, &c.—Continued.

	Labor.	Material.	Total.
REPAIRS OF ALLEYS—Continued.			
Alley in square No. 368	$6 45	.....	$6 45
Alley in square No. 373	22 50	$1 00	23 50
Alley in square No. 377	135 00	11 92	146 92
Alley in square No. 398	61 50	.....	61 50
Alley in square No. 400	4 00	2 00	6 00
Alley in square No. 422	8 60	.....	8 60
Alley in square No. 425	13 00	.....	13 00
Alley in square No. 447	54 00	.....	54 00
Alley in square No. 448	42 00	.....	42 00
Alley in square No. 453	65 00	4 00	69 00
Alley in square No. 492	88 88	1 05	89 93
Alley in square No. 493	2 15	.....	2 15
Alley in square No. 497	54 00	.....	54 00
Alley in square No. 533	16 00	.....	16 00
Alley in square No. 516	121 00	6 25	127 25
Alley in square No. 563	2 00	.....	2 00
Alley in square No. 676	28 00	1 00	29 00
Alley in square No. 788	63 00	2 45	65 45
Alley in reservation No. 10	30 00	2 00	32 00
Total	2,025 69	83 75	2,109 44
REPAIRS OF STREETS AND SIDEWALKS.			
First street west	370 02	60	370 62
Second street west	63 93	.....	63 93
Third street west	42 80	.....	42 80
Fourth street west	149 62	3 77	153 39
Fourth-and-a-half street west	67 25	.....	67 25
Fifth street west	27 16	14	27 30
Sixth street west	141 00	2 59	143 59
Seventh street west	89 05	61	89 66
Eighth street west	21 68	.....	21 68
Ninth street west	73 27	77	74 04
Tenth street west	23 53	83	24 36
Eleventh street west	60 13	.....	60 13
Twelfth street west	96 30	84	97 14
Thirteenth street west	157 00	98	157 98
Thirteenth-and-a-half street west	7 90	.....	7 90
Fourteenth street west	316 65	8 48	325 13
Fifteenth street west	46 89	.....	46 89
Fifteenth-and-a-half street west	1 35	.....	1 35
Sixteenth street west	17 31	28	17 59
Seventeenth street west	56 19	.....	56 19
Eighteenth street west	52 39	.....	52 39
Nineteenth street west	51 02	.....	51 02
Twentieth street west	45 76	.....	45 76
Twenty-first street west	47 60	.....	47 60
Twenty-second street west	456 32	.....	456 32
Twenty-third street west	21 80	.....	21 80
Twenty-fourth street west	29 40	22	29 62
Twenty-fifth street west	226 33	.....	226 33
Twenty-sixth street west	42 55	.....	42 55
Twenty-seventh street west	44 90	40	45 30
First street east	54 12	21	54 33
Second street east	23 50	.....	23 50
Third street east	68 73	35	69 08
Fourth street east	521 19	.....	521 19
Fifth s reet east	14 30	.....	14 30
Sixth street east	13 50	50	14 00
Seventh street east	62 98	89	63 87
Eighth street east	112 65	62	113 27
Ninth street east	8 60	.....	8 60
Tenth street east	63 83	3 20	67 03
Eleventh street east	536 68	.....	536 68
Twelfth street east	202 87	.....	202 87
Sixteenth street east	5 12	14	5 26
B street north	49 15	.....	49 15
C street north	42 85	.....	42 85
D street north	57 28	28	57 56
E street north	174 81	4 30	179 11
F street north	95 39	4 67	100 06
G street north	46 92	.....	46 92
H street north	94 85	2 29	97 14
I street north	66 90	68	67 58
K street north	77 87	1 12	78 99
L street north	25 45	.....	25 45
N street north	21 08	.....	21 08
O street north	52 68	.....	52 68

Report of the overseer of repairs, &c.—Continued.

	Labor.	Material.	Total.
REPAIRS OF STREETS AND SIDEWALKS—Continued.			
P street north	$172 80	$9 27	$182 07
Q street north	32 15	35	32 50
R street north	22 70	42	23 12
T street north	26 80	.....	26 80
B street south	54 25	.....	54 25
C street south	29 60	32	29 92
D street south	18 85	70	19 55
E street south	16 90	45	17 35
F street south	48 12	45	48 57
G street south	17 95	32	18 27
I street south	5 00	.....	5 00
K street south	24 30	14	24 44
M street south	271 61	.....	271 61
N street south	4 30	.....	4 30
Connecticut avenue	2 15	98	3 13
Delaware avenue	31 00	91	31 91
Maryland avenue	48 19	.....	48 19
Massachusetts avenue	426 25	22 07	448 32
New Jersey avenue	116 25	6 95	123 20
New York avenue	7 00	.....	7 00
Pennsylvania avenue	3 22	28	3 50
Rhode Island avenue	34 33	.....	34 33
Vermont avenue	528 43	9 10	537 53
Virginia avenue	282 34	1 40	283 74
Boundary street	12 00	88	12 88
East Capitol street	15 00	.....	15 00
Franklin street	1 85	.....	1 85
Harrison street	26 00	.....	26 00
North Capitol street	949 39	.....	949 39
South Capitol street	10 75	.....	10 75
Beall street, Georgetown	502 37	.....	502 37
Bridge street, Georgetown	64 55	1 05	65 60
Congress street, Georgetown	38 00	.....	38 00
Fayette street, Georgetown	98 38	7 00	105 38
Frederick street, Georgetown	34 81	93	35 74
High street, Georgetown	45 85	1 40	47 25
Jefferson street, Georgetown	11 50	.....	11 50
Market street, Georgetown	29 00	1 12	30 12
Prospect street, Georgetown	170 25	.....	170 25
Read street, Georgetown	274 50	197 30	471 80
Second street, Georgetown	9 50	.....	9 50
Washington street, Georgetown	292 18	6 31	298 49
Total	10, 150 77	309 86	10, 460 63
RECAPITULATION.			
Salaries	2, 481 61	.....	2, 481 61
Miscellaneous	6, 556 24	.....	6, 556 24
Northern market	78 75	99 45	178 20
Work of improvement	4, 894 25	264 09	5, 158 34
Contractors	6 63	1 37	8 00
Cleaning sewers	7, 524 65	.....	7, 524 65
Cleaning sewer-traps	3, 458 57	.....	3, 458 57
Cleaning gutters	1, 064 94	.....	1, 064 94
Repairing sewers	1, 718 63	155 65	1, 874 28
Repairing traps	829 64	350 42	1, 180 06
Repairing pumps	2, 642 30	295 07	2, 937 37
Repairing county roads	5, 162 55	314 55	5, 477 10
Repairing alleys	2, 025 69	83 75	2, 109 44
Repairing streets and sidewalks	10, 150 77	309 86	10, 460 63
Sundries	2, 934 49	265 28	3, 199 77
Total	51, 529 71	2, 139 49	53, 669 20

H.—APPENDIX 7 A.

REPORT OF SUPERINTENDENT OF REPAIRS FROM OCTOBER 1 TO NOVEMBER 15, 1877.

ENGINEER'S OFFICE, DISTRICT OF COLUMBIA,
Washington, November 15, 1877.

SIR: I have the honor to submit a report of the operations of this office from the 1st of October, 1877 (the date of my appointment), to the 15th instant.

In entering upon my official duties I found a large amount of work (a state liable to occur upon the resignation of any one) left by my predecessor, which, together with the accruing work devolving upon this office, has kept the entire force under my control constantly employed.

The amount of work and its character, I think, will compare favorably with any heretofore assigned to and executed by this department.

My jurisdiction, embracing only the city of Washington with a sufficient curtilage to embrace the several cribs at the entrances of the large sewers in the county, is sufficiently large to keep the force assigned to me constantly at work as long as funds are available for payment of same.

SEWER-TRAPS.

The force employed upon this specific work has performed a large amount of labor, having cleaned since October 1 some 1,600 traps, besides making the necessary repairs.

I would suggest that the traps, wherever found defective, especially the goose-necks connecting traps with the main sewers, be altered from six to twelve inches, which, if found too large, can be reduced.

I would also recommend that large tongs and buckets with valves be furnished, in order to facilitate the work of cleaning the traps.

I would further recommend that in the erection of new fire-plugs, they be located at or near the sewer-traps, and be made to connect with the traps under ground, for the purpose of flushing the traps and sewer. This can be done at but little additional expense.

SEWERS.

The sewer-cleaners have been judiciously employed, and are keeping well up with their work.

In this connection I would state that I disapprove of the present plan of cleaning sewers and traps of the city, together with the appliances in use therefor, and would suggest that close iron carts be obtained, with swinging beds for discharging their loads, and constructed low enough to enable the men to easily empty their vessels into them. I would also recommend that large iron pans or trays on wheels be furnished, in which to hold the filth and *débris* while the carts are off depositing their loads.

This would obviate the necessity of piling it up on the streets, which being of a thin, watery nature, runs and spreads over a large surface, making it very difficult to gather up, besides being very offensive.

Should the carts and trays herein recommended be approved by the Commissioners, I can have them constructed readily and economically. They should belong to the District, and hire horses and drivers, so that upon any change of driver or horse, they can always be on hand.

I would also urge upon the attention of the Commissioners the necessity for a large wrecking-pump, to be used in pumping out sewers and

manholes, when from any cause the sewer has become stopped up, causing an overflow of basements and cellars, as in the case that recently occurred at corner of New Jersey avenue and C street northwest, where the water rose to the height of four feet in the basement of Mr. O'Brien. Should the Commissioners decide to purchase such a pump, it should be one that will allow mud, gravel, &c., to pass through as well as water.

I would recommend in this connection that a sufficient area of ground be leased for a term of years, or purchased in fee simple, on either side of the various cribs in the county, for a width of, say, seventy feet and in length fifty feet in excess of the length of the cribs, with proper approaches from the public roads. The ground surrounding or bordering the cribs not being the property of the District, is used for piling up the gravel obtained in cleaning the cribs. This gravel might be utilized in paving or grading, it being located upon the northern border of the city convenient for its use. It is now claimed by the owners of the property, and the District is deprived of its use, after having raised it from the pits; besides, some approach to these cribs must be had, otherwise there is a trespass upon private property, unless the owners' consent is obtained by lease or purchase. In case of repairs, where the walls are in a dangerous condition, sufficient ground must be had for placing the materials used in the execution of the work.

CLEANING ALLEYS.

The alleys are now cleaned by the contractor once every two weeks, and, so far as my observation extends, has been well done.

CLEANING STREETS AND AVENUES.

The cleaning of streets and avenues is now being done in a very satisfactory manner.

WOOD PAVEMENTS.

No repairs have been made to wood pavements except to fill the holes with gravel, it being impossible from the rotten condition of the blocks to take them up and relay.

The large number of streets paved with wood now nearly entirely decayed render it necessary to be constantly repairing them in this manner to prevent accidents. Such streets may be cheaply repaired in this way, and in my opinion is the only remedy until the funds at the command of the Commissioners would justify more complete and thorough work in relaying them with other and less destructible materials.

In this connection I would recommend as a pavement the Belgian cubical block (Richmond granite), a specimen of which may be now seen in front of the Baltimore and Ohio Railroad depot. Such pavements being the most durable, almost indestructible, cooler in summer, cleaner and freer from dust, inodorous, and vastly more pleasant for horses, giving them a surer footing, not liable to slip and fall, and not so severe upon their muscles as are the concretes, upon which, at nearly every step, they slip from one to two inches, requiring muscular exertion of the whole body to keep from falling.

CHAIN-GANG.

The prisoners in the work-house who now and for some time past (such as are deemed capable for work upon the streets) have been employed

in cleaning the gutters and portions of the bed of various streets are, in my judgment, not remunerative. The class of men generally found in the prison department are not even skilled as common laborers. They are rarely turned over to the guards who work them before 9 a. m., and then are returned to prison by 4 p. m., making a very short day's labor; then it is an enforced labor requiring constant watchfulness upon the part of the guards. It is with difficulty that shelter can be found for them in sudden rains, the aversion of the people to them is so great. It has a tendency to lower and degrade the honest-paid laborer by their exhibition upon the streets, and the amount of work performed by them hardly pays the expense incurred in its execution.

PAY OF LABORERS, ETC.

The men under my control, as well as when under my predecessor, are paid only once a month, and, being very poor and needy, entails in some instances great hardships upon them. This, in my opinion, can be remedied to some extent by paying them twice a month.

Under instructions from the honorable Commissioners I have endeavored in the selection of my working force to give the preference to those who stood most in need of employment; and, as some of them were in a very destitute and needy condition, it certainly seems hard to keep them a month without means to satisfy their immediate and pressing wants.

In conclusion, I am happy to state that the work of the office is as near up as at any former period, complaints being promptly attended to, and, so far as I know, are done to the satisfaction of the complainants.

Appended hereto will be found a tabular statement showing the cost for labor and materials of the different kinds of work under my control.

Thanking you for the uniform kindness and courtesies shown,

I am, sir, very respectfully,

E. W. CHAPIN,
Superintendent Repairs.

The ENGINEER OF DISTRICT OF COLUMBIA.

Nature of the work.	Labor.	Material.	Total.
Salaries of the office	$346 33	.....	$346 33
Miscellaneous expenses	210 50	.....	210 50
Cleaning traps	608 62	.....	608 62
Cleaning sewers	1,065 71	.....	1,065 71
Repairing traps	238 50	$217 78	456 28
Repairing sewers	453 67	226 74	680 41
Repairing streets, avenues, and alleys	920 31	461 79	1,382 10
Repairing sidewalks, gutters, &c	1,026 30	336 91	1,363 21
Cleaning sidewalks, &c., with chain-gang	511 81	.....	511 81
Repairing bridges and wood footwalks	50 00	79 75	129 75
Total	5,431 75	1,322 97	6,754 72

H.—APPENDIX 8.—TABLES OF EXPENDITURES.

TABLE No. 1.—*Commissioners' contracts for improvements, under which work has been done since November* 30, 1876.

Number of contract.	Date.	Name of contractor.	Street.	Limits. From—	Limits. To—	Description of work.	Cost.	Remarks.
	1876.							
19	Mar. 29	Felix M. Draney..	.....	.....	.....	Sweeping and cleaning alleys	$3, 007 32	
20	Apr. 17	Andrew Gleason..	.....	.....	.....	Sweeping and cleaning streets	13, 431 00	
24	June 6	John J. Shipman..	James Creek Canal	.....	.....	Continue the sea-walls of James Creek Canal by building about four hundred and eighty-four linear feet of said sea-wall at and near N street, southwest, in strict accordance with the specifications hereunto annexed. Also to remove the old iron pivot-bridge over said James Creek Canal at N street, southwest, and the abutments of said bridge, and the old walls of the canal at this point. Also, to build and construct one Howe truss-bridge over said James Creek Canal at N street, southwest, in accordance with the plans and specifications and detail drawings for the same on file in the office of engineer of the District of Columbia.	13, 400 16	Completed; the amount expended up to Nov. 30, 1876, as per last report, was $8,435.45, making a total cost of $21,835.61, against $22,329.50, estimated.
	Sept. 9	Extension	James Creek Canal	.....	.....	Extend the retaining-walls of the approaches to the N-street bridge, and construct iron fence for the same.		
			First street, southwest..	M street	N street	Set curb, pave carriage-way with blue-rock pavement, and lay brick footwalk on east side of.		
			M-street bridge	.....	.....	Construct two sewer-traps with outlets.		
25	May 26	John G. Stafford..	N street south	James Creek Canal	Second street east.	Relay old material	447 48	Amount refunded for material erroneously charged.
			.....do	....do	Third street east..	Lay blue-stone pavement	.....	
28	May 27	E. E. Barnes	M street south.....	Second street	Fourth street east	Grade, set curb, and lay brick footwalks.	45 85	Extra, for work damaged by storm after completion of work.
				South Capitol street	New Jersey ave ..	Lay cobble-stone pavement		

			N street south	....do	Fourth-and-a-half street west.	Lay blue-stone pavement	138 16	Refunding amount erroneously deducted from contract No. 28 in lieu of deducting same from No. 413.
				New Jersey ave...	Fourth street east	....do		
				Second street	Third street east..	Grade, reset curb, and relay brick footwalks.		
33	June 23	John Lyons	Tiber sewer	Pennsylvania ave.	James Creek Canal	Clean and remove sand, gravel, &c.		Completed; amount ($3,127) reported in last year's report.
45		D. McNamara	Old jail			Removing material to new workhouse.	495 41	Complete.
	1877.							
46	Mar. 31	G. L. Sheriff				Sweeping and cleaning alleys	3,420 40	Incomplete.
52	May 10	L. P. Wright				Sweeping streets	16,588 87	Do.
62	June 7	Thomas Kirby	F street north	Massachusetts ave	Second street east	Grade, lay gutter-flag, set curb, lay brick and cobble-stone pavement, and gravel.	4,652 61	Complete.
63	June 8	Simon Carmody	First street west	I street	K street north	Grading and graveling roadway, setting curb, laying brick footwalks, flags, and cobble-stone gutters and flag-crossings.	1,950 71	Do.
64	June 30	E. E. Barnes	Third street east	M street	N street south	Grade, lay blue-rock pavement, set and reset curbs, lay and relay brick foot-pavement.	3,481 62	Do.
68	July 19	Andrew Gleason	New Hampshire avenue.	T street	U street, northwest	Set curb, lay brick footwalk and cobble gutters, and do necessary grading.	1,517 14	Do.
72	Aug. 27	Davis & Murphy	Foundry Branch on New Cut Road.			Culvert	338 25	Do.
73	Sept. 22	....do	Virginia avenue	G street	Twenty-fourth st., northwest.	Lay 15-inch-pipe sewer on south side of.		
			Twenty-fourth street, west side.	Virginia avenue ..	E street	....do	144 00	Work in progress.
			E street, north side	Twenty-third st ..	Twenty-fourth st .	....do		
			Fourteenth street and Boundary, northwest.			Construct two silt-basins		Do.
			K and North Capitol streets, southwest corner.			Construct sewer-trap, with brick connection, and 31 feet of 3½-foot brick barrel-sewer.		Do.
74	Oct. 23	Himber & Williams				Repair No. 2 engine-house		Do.
75	Oct. 22	King & Long	K-street bridge over Rock Creek.			Lay new flooring on roadway		Do.
			P-street bridge over Rock Creek.			....do		Do.
76	Oct. 26	James Gannon	Chase road, near Lincoln avenue.			Construct wooden bridge, with stone abutment.		Do.
			Fourteenth-street road, near Piney Branch.			Construct stone and brick culvert		Do.
77	Oct. 27	William H. Wylie	Alley in square No. 677 (Jackson alley).			Fill		Do.
			O street north	First street west..	North Capitol st ..	....do		Do.
78	Oct. 29	John J. Danaher	B street south	New Jersey ave ..	South Capitol st ..	Lay 15-inch-pipe sewer, with manholes, tops, and covers.		Do.

TABLE No. 1.—*Commissioners' contracts for improvements, under which work has been done since November* 30, 1876—Continued.

Number of contract.	Date.	Name of contractor.	Street.	Limits.		Description of work.	Cost.	Remarks.
				From—	To—			
69	1877. July 20	Henry Himber....	L street, northwest	Seventeenth street	Twentieth street..	Construct 6-foot brick barrel-sewer	$9,926 29	Complete.
		Extension	.....do	Sixteenth street...	Seventeenth street	.....do	2,638 38	Required for completion, $2,500.
71	.....	Davis & Murphy..	North Capitol street	.....	.....	Repair Tiber arch	472 50	Required for completion, $8,027.50.
		Total	.....	.....	.....	.....	76,096 15	

TABLE No. 2.—*Repairs and replacement of wood pavements.*

Number of contract.	Date.	Name of contractor.	Street.	Limits.		Description of work.	Cost.	Remarks.
				From—	To—			
	1877.							
53	June 1	Davis W. Bailey..	New Jersey avenue.....	B street.....	C street north.....	Lay concrete pavement on carriage-way.	$6,202 73	Complete.
			G street, northwest	Third street	Fifth street.....	Resurface concrete pavement on carriage-way.	3,550 21	Do.
			Tenth street	Thirteenth street .	.....do		2,773 51	Do.
54	May 31	Jonathan Taylor..	New Jersey avenue	C street.....	D street north, west side.	Lay concrete pavement on carriage-way.	5,175 21	Do.
			Sixth street west	E street north	Louisiana avenue.	.....do	5,915 25	Do.
			Eighth street west.....	E street.....	F street north	.....do	3,730 65	Do.
			Intersection of Massachusetts avenue and Fourth st., northwest.	.....	.....	.....do	1,447 27	Do.
			Intersection of Massachusetts avenue and Fifth st., northwest.	.....	.....	.....do	970 55	Do.
			First street	H street north	Defrees street	.....do	1,386 15	Do.
55	May 31	William C. Murdock.	Pennsylvania avenue, north side.	Twenty-third st. Circle.	Rock Creek.....	.....do	19,712 82	Do.
			Bridge st., Georgetown..	M-street bridge ...	Montgomery st...	.....do	3,039 18	Do.
			Twenty-sixth st. west ..	Pennsylvania ave.	Rock Creek.....	Concrete pavement on carriageway	2,454 87	Do.
			Corcoran street	Thirteenth street.	Fourteenth street.	.....do	4,506 53	Do.
			Massachusetts avenue ..	.....do	.....do	.....do	6,519 61	Do.
			Aqueduct.....	Rock Creek.....	Montgomery st ...	.....do	678 21	Do.
56	May 29	{Cranford & Hoffman.}	F street north	{Fifth street ..... Ninth street .....}	{Seventh street .. Twelfth street ..}	.....do	20,363 60	Do.
			L street north	New Jersey ave...	Pennsylvania ave	.....do	52,114 76	Do.
			I street north	Eleventh street ...	Thirteenth street .	Resurfaceing concrete pavement..	3,681 06	Do.
				Connecticut ave...	Seventeenth street	.....do	942 33	Do.
			Ninth street west.....	D street	P street west	.....do	4,939 51	Do.
56	June 30	W. C. Murdock*..	New York avenue	Ninth street	Tenth street	Resurface carriage-way	3,887 57	Do.
				Thirteenth street .	Fourteenth street.	.....do	3,317 87	Do.
57	June 7	W. R. Davies	Fifteenth street west ...	Pennsylvania ave.	New York avenue.	Resurface concrete pavement.....	6,194 46	Do.
58	May 31	Buckley & Vermillion.	Seventh street west.....	B street.....	L street south	Lay stone-block pavement of Richmond granite.	25,909 23	Do.
59	May 31	George Neirzy.....	New Jersey avenue	C street.....	D street, east side.	Lay stone-block pavement of Cape Ann granite.	2,471 95	Do.
60	June 1	William H. Mohler	Bridge street, Georgetown.	Congress street ...	Market street....	Lay stone-block pavement of Richmond granite.	12,186 78	Do.
61	July 25	Thomas Kirby	L street north.....	Fourth street	Fifth street west..	.....do	4,755 16	Do.

* Assignment of part of contract No. 56.

TABLE No. 2.—*Repairs and replacement of wood pavements*—Continued.

Number of contract.	Date.	Name of contractor.	Street.	Limits.		Description of work.	Cost.	Remarks.
				From—	To—			
	1877.							
65	June 30	W. R. Davies	F street north.....	Seventh street....	Ninth street west	Lay Grahamite asphalt pavement on carriage-way.	$6,217 18	Complete.
66	July 31	Jonathan Taylor..	.....do	Twelfth street....	Thirteenth street west.	Lay concrete pavement on carriage-way.	3,660 19	Do.
67	July 19	Burns & Hopkins.	Seventh street west.....	E street	K street north	Lay stone-block pavement of Cape Ann granite, with hydraulic concrete foundation.	8,954 65	Required for completion, $6,280.35.
		Total	.....	.....	.....	.....	227,659 05	

TABLE No. 3.—*Improvement of Tiber Valley.*

No. of contract.	Date.	Name of contractor.	Street.	Limits.		Description of work.	Cost.	Remarks.
				From—	To			
49	Apr. 21, 1877	Patrick Brennan..	K, north	First	Third, east .	Grading, repaving footwalks, crossings, and gutters; resetting curbs and graveling carriage-way; break down culvert.	$4,875 09	Complete.
50			Second, east	K.....	L, north	Grading	50 57	Do.
	Apr. 21, 1877	Thomas Joyce	G, north	North Capitol.	First, east ..	Fill, and break down culvert, replace post, &c.....	8,652 75	Do.
			H, north	....do	....do	Fill		
			Pool, between First and Delaware avenue, and E and F, northeast.	.....	.....	Fill		
51	Apr. 21, 1877	Henry Himber....	Tiber Valley.....	.....	.....	Build a two-ring brick barrel-sewer, 3-foot inside diameter, with connections and manholes and covers at grade, on First street east, and Delaware avenue, from manhole on the north side of F street north, to a point 15 feet south of the north building-line of G street north; also, a two-ring brick barrel-sewer, 2-foot inside diameter, on H street north, commencing at the 20-foot sewer in North Capitol street and extending to a point 15 feet west of the east building-line of North Capitol street; also, a two-ring brick barrel-sewer, 2-foot inside diameter, on G street north, from the 20-foot sewer in North Capitol street to a point 391 feet east of the east building-line of North Capitol street, being to the center of a 12-foot 4-inch alley running northward; also, an 18-inch-pipe sewer on H street north, between North Capitol street and First street east, from a point 15 feet west of the east building-line of North Capitol street to a point 563 feet eastward, thence northward 30 feet to a trap; also, an 18-inch-pipe sewer in the 12-foot 4-inch alley, in Square 677, from the center of Jackson alley to the brick sewer on G street north; also, an 18-inch-pipe sewer from the eastern terminus of the said 2-foot brick sewer in G street north, to a point 81 feet eastward, thence northward 30 feet to a trap; also, a 15-inch-pipe sewer, from the eastern terminus of said 18-inch-pipe sewer, in G street, to a point 54 feet eastward; all with necessary manholes, &c.	12,289 46	Do.
62	June 7, 1877	Thomas Kirby....	F	Massachusetts avenue.	Second, east	Grading, laying gutter-flag, brick pavement and curb, and graveling.	1,290 00	Do.
		Total.....					27,157 87	

TABLE No. 4.—*Miscellaneous work done under orders authorized by the Commissioners of the District of Columbia.*

Name.	Street.	Limit.		Nature of work.	Cost.	Remarks.
		From—	To—			
Thomas Kirby	North Capitol street sewer.				$2,304 01	Authorized by Commissioners District of Columbia, June 30, 1877.
Thomas Joyce	Removing Tiber arch, North Capitol street.				225 00	Do.
Henry Himber	Twelfth, northwest	V	W	Lay sewer	494 39	Authorized by Commissioners District of Columbia, July 27, 1877.
	V, northwest	Eleventh	Twelfth			
T. O'Brien	D	First	Delaware avenue, northeast.	Lay brick pavement	142 65	Authorized by Commissioners District of Columbia, August 21, 1877.
J. G. Stafford	Intersection of Fifth and I, northwest.				231 20	Authorized by Commissioners District of Columbia, August 17, 1877.
P. Maloney	I	First	Delaware avenue	Lay sewer	399 01	Authorized by Commissioners District of Columbia, August 30, 1877.
J. G. Stafford	G	do	Second, southwest	Reset curb, &c	237 88	Do.
Albert Gleason	P, northwest	Sixth	Eighth	Lay sewer	956 60	Do.
Owen O'Hare	Twelfth, northwest	P	Rhode Island av	do	404 98	Do.
	M, northwest	Seventh	Eighth	do	110 68	Do.
D. W. Bailey	Various streets			Repairing concrete pavements	955 65	Authorized by Commissioners District of Columbia, September 6, 1877.
	Do			Repairing concrete pavements over excavations made for water, gas, and sewer services.	110 50	$1,045.11 required for completion. Authorized by Commissioners District of Columbia, September 6, 1877.
F. H. Wahler	Livingston road, county			Repair	25 00	Authorized by Commissioners District of Columbia, August 10, 1877.
Simon Carmody	I	North Capitol	First, east	Lay brick pavement	52 00	Authorized by Commissioners District of Columbia, September 17, 1877.
	K, northwest, front of No. 1 engine-house.			do	18 57	Do.
	Alley in reservation	Eleventh		Lay sewer	91 47	Do.
	Grant avenue	Boundary	Ninth, northwest		41 72	Do.
P. Maloney	Congress	Water	Canal	Lay brick pavement	68 84	Authorized by Commissioners District of Columbia, October 11, 1877.
	R	Tenth	Eleventh, northw't	Relay sewer	145 70	Do.
	First	B	C, southeast	Insert iron rods in posts	33 40	Do.
W. Fletcher				Removing material from old jail to new workhouse.	979 44	Authorized by verbal order of the Commissioners District of Columbia.
Miscellaneous expenses, &c.					5,667 38	
Total					13,696 07	

H.—APPENDIX 9.

SCHEDULE OF STREETS, THE WOOD PAVEMENTS OF WHICH ARE IN SUCH CONDITION AS TO NEED IMMEDIATE ATTENTION.

Street.	From—	To—
First, east	B street north	C street north.
First, east	B street south	C street south.
First, west	Pennsylvania avenue	Massachusetts avenue, northwest.
Second, west	Pennsylvania avenue	H street north.
Third, west	Half-way K and L streets	New York avenue north.
Fifth, west	Half-way M and N streets.	O street north.
Sixth, west	E street	G street north.
Sixth, west	L street	M street north.
Sixth, west	Intersection of N street, one-half square.	Between N and O streets north.
Sixth, west	O street	Boundary street north.
Seventh, west	B street north	Pennsylvania avenue north.
Seventh, west	D street	F street north.
Seventh, west	G street	Massachusetts avenue north.
Seventh, west	Vernon Place	Q street north.
Seventh, west	Q street	Boundary street north.
Eighth, east	Virginia avenue, north side	M street, or navy-yard.
Eighth, east	Intersection Pennsylvania avenue	
Eighth, west	Pennsylvania avenue	D street north.
Eighth, west	H street	I, half square near I street, northwest.
Eighth, west	O street	Rhode Island avenue north.
Ninth, west	B street north	Pennsylvania avenue north.
Ninth, west	P street	S street north.
Tenth, west	E street	F, one-third square between F and G streets north.
Tenth, west	K street	N, intersection of O street north.
Eleventh, west	Pennsylvania avenue	O street north.
Twelfth, west	Pennsylvania avenue	F street north.
Twelfth, west	N street	Rhode Island avenue north.
Thirteenth, west	B street north	C street north.
Thirteenth, west	Pennsylvania avenue	F street north.
Fourteenth, west	H street north	M street and around Circle.
Fourteenth, west	N street	R street north.
Fifteenth, west	B street north	Pennsylvania avenue north.
Fifteenth, west	K street north	Rhode Island avenue north.
Sixteenth, west	I street	L street north.
Sixteenth, west	M street	Massachusetts avenue or Circle.
Twentieth, west	Pennsylvania avenue	K street north.
Twenty-second, west	Pennsylvania avenue	L street north.
A, southeast	Intersection of First street	
B, southeast	Intersection New Jersey avenue southeast.	
B, north	First street west	Third street west.
B, southwest	Seventh street west	Fourteenth street west.
C, north	First street west	Third street east.
D, north	Third street west	Fourth street, south side, intersection Indiana avenue.
D, north	Fifth street	Pennsylvania avenue north.
E, north	New Jersey avenue	Fourth street west.
E, north	Fifth street	Seventh street west.
E, north	Eighth street	Ninth street west.
E, north	Ninth street	Two thirds way Tenth street west.
E, north	Fourteenth street	Fifteenth street west.
F, north	New Jersey avenue	Fourth street west.
F, north	Fifth street	Sixth street west, south of square.
F, north	Sixth street	Seventh street west, three-fourths of the square.
H, north	North Capitol street	Third street west.
H, north	Third street	Fourth street west.
I, north	Fifth street	Eighth street west.
I, north	Ninth street	Tenth street west.
K, north	Eighteenth street	Pennsylvania avenue, or Circle, west.
L, north	Twentieth street	Pennsylvania avenue west.
M, north	New Jersey avenue	Fifteenth street west.
M, north	100 feet east of Nineteenth street	Twenty-first street west.
N, north	Seventh street	Thirteenth street west.
East Capitol	First street	Second street east.
Pennsylvania avenue	First street east	Second street east.
Pennsylvania avenue	Second street east	Seventh street east.
Pennsylvania avenue	Circle	Twenty-sixth street west, south side.
Louisiana avenue	Fourth-and-a-half street	Seventh street.
Louisiana avenue	Pennsylvania avenue	Ninth street.
Indiana avenue	Fourth-and-a-half street	Fourth street.
Market Space	Seventh street	Ninth street.
New Jersey avenue	D street	O street.
New Jersey avenue	B street south	E street south.

Schedule of streets, &c.—Continued.

Street.	From—	To—
New Hampshire avenue ...	Pennsylvania avenue	M street.
Rhode Island avenue	Seventh street	Ninth street.
Massachusetts avenue	Fifth street.....	Seventh street.
Massachusetts avenue	Ninth street	Tenth street.
Massachusetts avenue	Intersection	Twelfth street.
Delaware avenue north	B street	C street.
GEORGETOWN.		
High	Bridge street	West street.
Potomac	Bridge street	Second street.
First.....	High street.....	Market street.
Gay	High street	Congress street.
West	High street.....	Washington to Rock Creek.

H.—APPENDIX 10.

REPORT OF ASSISTANT ENGINEER RELATIVE TO REVISION OF ASSESSMENTS.

NOVEMBER 9, 1877.

SIR: I have the honor to submit herewith, for consideration and approval, the revised assessments of Pennsylvania avenue east from First east to Third east, and of Massachusetts avenue from New Jersey avenue to Boundary. These assessments are two of the 99 special assessments issued by the late board of public works, none of which have heretofore been corrected nor revised, the Commissioners declining to correct any assessment issued by their predecessors.

The earlier assessments issued by the Commissioners were prepared by the same method pursued by the board of public works. On the 18th of January, 1877, the following instructions were issued by the Commissioners relative to special assessments:

Ordered, That in preparing assessment-certificates on the different streets, alleys, &c., no assessment be made on private property for lowering water-mains, when the work is necessitated by change of grade or otherwise, when the property has been once assessed on account of such water main or mains.

2. That private property must not be assessed twice for like improvements.

3. That private property must not be charged with expenditures for improvements abutting upon or in front of church property.

4. That assessments prepared under the Commissioners, conflicting with the above, will be amended accordingly.

On the 21st of April, 1877, the following additional rules relative to corner lots with acute angles were issued:

Small triangular lots, not suitable for subdivision, having two sides, bounded by streets or alleys, shall be assessed at one-half the usual rate of assessment upon the respective bounding streets and alleys. Where such lots exceed 2,000 square feet in area, only so much thereof, measuring from the lesser acute angle equally upon the two sides, as shall contain not exceeding 2,000 square feet area, shall be assessed at half the usual rate.

Triangular spaces bounded on three sides by streets, and not divisible into two or more lots, shall be assessed at half the usual rate for each of the bounding streets.

Truncated spaces bounded on all sides by streets, shall be assessed as directed, when each individual case arises.

Lots not triangular in form, and not divisible into two or more lots for building purposes, bounded upon three sides by streets, shall be assessed in the same manner as corner lots are assessed.

In addition to the above rules, the following were approved by the Commissioners, as the cases presented themselves, viz:

To correct all clerical errors.

To reduce excessive haul of grading to that which reasonably could have been obtained.

To omit all charges for work done twice, and for repairs.

To equalize the assessment of sewers, viz, where sewers exceed in size and cost that of 15-inch-pipe sewer, to assess only so much of its costs as would have been required to construct a 15-inch-pipe sewer.

MAP
OF THE CITIES OF
WASHINGTON
and
GEORGETOWN D.C.

PUBLISHED BY W H & O H. MORRISON

1876.

WIDTH OF STREETS.

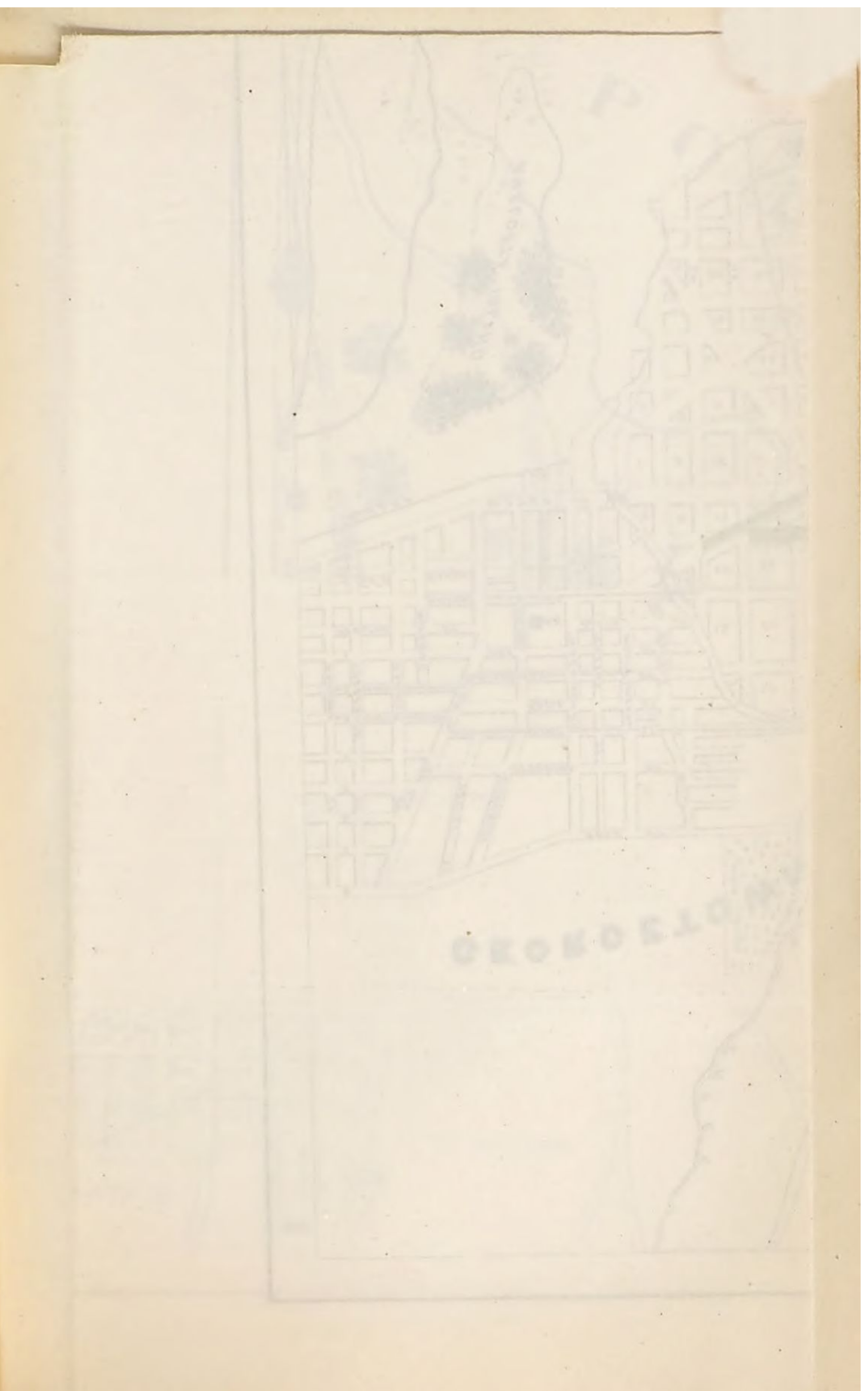
	W.	E
A	80	80
1	90	110
2	90	90
3	110	90
4	80	85
4½	110	—
5	80	100
6	100	85
7	85	90
8	100	100
9	85	90
10	85	80
11	111.5	90
12	85	112
13	110	90
13½	70	—
14	110	100
15	110	90
16	160	80
17	110	100
18	90	80
19	110	80
20	90	100
21	90	80
22	90	80
23	100	80
24	90	80
25	90	—
26	80	—
27	70	—
28	80	—

	N.	S
A	90	90
B	90	90
C	80	80
D	70	70
E	90	90
F	100	70
G	90	100
H	90	80
I	147.8	80
K	90	90
L	90	90
M	90	90
N	80	90
O	90	85
P	90	85
Q	90	85
R	90	85
S	90	85
T	90	85
U	90	80
V	80	80
W	80	40

INDEX.
STONE
CONCRETE
McADAM

WIDTH OF AVENUES.
All Avenues are 160 ft wide except the following;
Penn Av from Presd.t House to Rock Creek = 130 ft
N.Y. Av E of Presd.t House = 130. Virginia Av from
Rock Creek to Potomac = 120.
Kentucky, Tenn.s & New Hampshire Avs = 120 ft
Vermont, Conn.s & Rhode Island = 130.
Missouri and Maine Avs = 85.

NOTE.
SIGNIFIES STEAM R.R
" STREET CAR R.R.
" CHARIOT ROUTE



To deduct the cost of the two feet of grading required under the various contracts for wood and concrete pavements in all cases where such cost of grading had not been deducted from the respective contractors.

All these regulations were embodied in a report prepared by the District attorney, dated August 29, 1877, prescribing a method for preparing special assessments, and for allowing drawbacks for old materials and for work done by private parties under permits. A further report was submitted by the attorney on the 3d of October, on the subject of adding a percentage for contingent expenses, the practice of the board of public works (and of the Commissioners, up to that date) having been to add 5 per centum of the cost of work for such expenses. The ru le submitted by the attorney was approved by the Commissioners.

In accordance with these regulations, as adopted by the Commissioners, their (the Commissioners') assessments are now being revised, and in accordance with these same regulations the proposed revision of the two board of public works assessments herewith submitted have been prepared.

A cursory examination of the board of public works' assessments was submitted by me on the 2d of June last. A revision of the same, made in accordance with the regulations adopted by the Commissioners up to that date, would have resulted in an aggregate reduction of $184,971.43 of the tax assessed under the ninety-nine board assessments. The application of the last regulation (October 5) relative to the charge of contingent expenses will materially increase the above figure.

The two revisions herewith submitted fully exemplify the working of the Commissioners' regulations if they should be applied to the board of public works' assessments; similar results, proportionate to the extent of the work, will be found in nearly all of those old assessments. The numerous errors occurring in these assessments, and the method pursued by the board, resulting generally in greater assessment, would seem to render their revision desirable.

Most respectfully,

B. OERTLY,
Assistant Engineer.

Lieut. R. L. HOXIE,
Engineer, District of Columbia.

MASSACHUSETTS AVENUE, FROM NEW JERSEY AVENUE TO BOUNDARY. OCTOBER 16, 1877.

Total expenditures made on avenue as per statement of Auditor.

Voucher 1. Deduct on 4,824 yards of asphalt sidewalk, at 35 cents	$1,688 40
Voucher 1. Deduct on 49,773 cubic yards of land charged at 90 cents per yard, viz, 7,200 feet over 200 feet where a land of 3,600 feet was obtained	22,397 85
Voucher 3. Deduct for jointing and trimming curb, charged in full in voucher 1.....	1,860 00
Voucher 4. Deduct elevated roadway curb, 990.80; concrete, 3,995.20.....	4,986 00
Voucher 5. Deduct on 700.56 yards of asphalt sidewalk, at 35 cents	245 20
Voucher 6. Deduct extra on elevated roadway.....	353 96
Voucher 10. Deduct for taking up and resetting curb, work done twice...	195 20
Voucher 12. Deduct of this bill all except 145⅔ yards of concrete, at $3.20.	11,314 29
Voucher 13. Deduct all of this voucher.....	11,368 50
Voucher 14. Deduct first nine items for resetting work.....	1,464 71
Voucher. Deduct 13,430 yards of excavation 2,200 feet of excessive land ..	3,693 25
Voucher. Deduct on 12,724 yards of excavation 2,400 feet of excessive land.....	3,817 20
Voucher. Redressing curb, charged in full.....	554 88
Resetting	302 29
Voucher. Deduct on 638 cubic yards of land 2,400 feet of excessive land..	190 80

Voucher 15. Deduct on voucher work in front of engine-house	$194	00
Voucher 17. Deduct on voucher resetting curb and wooden steps	426	35
Voucher 22. Deduct on work reset	468	32
Voucher 20. Deduct on dressing and jointing curb, charged in full in voucher 19	183	80
Voucher 26. Deduct on 5 flights wooden steps, $50, and 6 manholes raised, $30	80	00
Voucher 27. Deduct on area walls and relaying of 566 yards of pavement.	595	92
Voucher 29. Deduct on difference in brick pavement	120	80
Voucher 30. Deduct on voucher asphalt pavement for elevated roadway..	1,816	75
Voucher 31. Deduct on voucher walls and steps for elevated roadway....	8,694	87
Voucher 34. Deduct on voucher erroneously charged to Massachusetts avenue	935	77
Voucher 36. Deduct on voucher hauling and flagging for Nineteenth-street Circle	1,056	12
Voucher 38. Deduct not chargeable to Massachusetts avenue	12,720	50
Voucher 39. Deduct voucher for underpinning house northeast corner of Fifteenth street	1,735	68
Voucher 40. Deduct voucher for moving houses 1445, 1447, 1449 1451	1,500	00
Voucher 41. Deduct for work on above	54	00
Voucher 43. Deduct voucher for taking up and resetting curb	169	20
Voucher 56. Deduct voucher for repairs of house corner Thirteenth street and Massachusetts avenue	60	90
Voucher 57. Deduct voucher for one flight of stairs	20	00
Voucher 58. Deduct voucher for redressing curb	88	80
Voucher 59. Deduct voucher for redressing curb	40	00
Voucher 60. Deduct voucher for redressing curb	191	20
Voucher 61. Deduct voucher for removing and relaying wood pavement Third street and Massachusetts avenue	295	00
Voucher 61. Deduct voucher removing and relaying wood pavement Fourteenth street and Massachusetts avenue	187	00
Voucher 62. Deduct voucher for lowering and repairs of water-mains and sewers	3,931	55
Voucher 63. Deduct voucher for repairs to pumps	199	69
Voucher 64. Deduct voucher for lowering and repairing water-service	753	91
Voucher 65. Deduct voucher for lowering and repairing water-service	31	50
Voucher 66. Deduct voucher for lowering and repairing water-service	13	40
Voucher 67. Deduct voucher for lowering and repairing water-service	53	70
Voucher 68. Deduct voucher for lowering and repairing water-service	31	62
Voucher 69. Deduct voucher for lowering and repairing water-service	223	05
Voucher 70. Deduct voucher for lowering and repairing water-service	48	25
Voucher 71. Deduct voucher for lowering and repairing water-service	48	25
Voucher 72. Deduct voucher for taking the whole of this work up	14,793	95
Voucher 86. Deduct voucher for extra on Scott's statue; revenue not assessed	2,457	74
Voucher 88. Deduct voucher for sundry work done twice or abandoned..	255	78
Voucher 89. Deduct voucher for sundry work done twice or abandoned..	95	00
Voucher 92. Deduct voucher for iron fence for engine-house	58	00
Voucher 90. Deduct voucher for fence chargeable to Thirteenth street	917	70
Voucher 96. Water and sewer services assessed by self	1,582	13
Voucher 11. Deduct voucher for flagging Scott's statue square	10,892	40
Voucher 76. Deduct voucher for steps	72	00
	132,527	13
Work in front of United States property	155,794	68
Work in front of United States property not measured, viz, at Seventh street and between Twenty-first and Boundary	12,612	84
Intersections of streets	5,085	00
2 feet of grading on 13,049⅓ square yards of concrete and 12,539⅔ square yards of wood pavement	5,117	73
Deduct one-sixth in front of government proverty to be assessed in full	14,269	79
	325,407	17
Auditor's statement	611,049	67
	285,642	50
One-third assessable	95,214	17
Add above one-sixth	14,269	79
Total assessable	109,483	96

SPECIAL ASSESSMENT FOR THE IMPROVEMENT OF PENNSYLVANIA AVENUE FROM FIRST STREET EAST TO EIGHTH STREET EAST.

Revision of assessment No. 55 of the late board of public works.

The assessment (No. 55) of Pennsylvania avenue east, from First street east to Eighth street east, was based upon the statement of expenditures of the auditor of the board of public works, a copy of which, marked A, is herewith inclosed, amounting to $309,474.48. To this the surveyor added a payment of $4,905.57 made to S. C. Wroe & Co. for work on the reservation between Fourth and Sixth streets east. To this total of $314,380.05 the surveyor added 5 per cent. for contingent expenses, viz, $15,719, and distributed the resulting grand total of $330,099.05 as follows:

To intersections of streets	$7,234 50
To United States Government	180,964 67
To general fund	94,599 92
To property-holders	47,299 96
	330,099 05

The frontage assessed by him was erroneously fixed at 4,156 feet 3 inches, which gave a rate of $11.38044 per front foot.

The following errors occur in the original statement of the auditor, and were not corrected by the surveyor in issuing the assessment, viz:

A.—Item marked 2, J. H. Richards, for brick, voucher No. 1792 of 1872	$427 50
Item marked 6, John Webster, for brick, voucher No. 2105 of 1872	693 50
Item marked 7, J. H. Richards, for brick, voucher No. 2116 of 1872	997 50
Item marked 9, John Webster, for brick, voucher 2731 of 1872	1,007 75
Item marked 10, John Webster, for brick, voucher 2914 of 1872	237 48
Item marked 11, R. Campbell, for brick, voucher 3120 of 1872	725 00
	4,088 73

This material was furnished by the above parties to the District and by the District to P. McNamara, and was deducted as part payment from his final vouchers 2860–2854 (1873), marked 29, $113,565.76, as will be seen by reference to original voucher. The above amount of $4,088.73 for bricks was, therefore, twice included in the statement of expenditures.

B.—Item marked 3, F. Acker, dressing curb, voucher 1798 of 1872	$178 05
Item marked 4, F. Acker, dressing curb, voucher 2039 of 1872	155 25
Item marked 5, F. Acker, dressing curb, voucher 2091 of 1872	106 65
Item marked 15, F. Acker, dressing curb, voucher 214 of 1873	250 87
Item marked 22, P. McNamara, dressing curb, voucher 1481 of 1873	3,114 20
	3,805 02

These various items were deducted from P. McNamara's bill (marked 30) of $9,320.74, vouchers 3017–3021 of 1873, and are, as in the foregoing case, twice included in the auditor's statement.

C.—Item marked 12, White & Bro., trap-covers, voucher 3187 of 1872	$110 00
Item marked 13, White & Bro., manhole covers, voucher 3187 of 1872	29 25
Item marked 14, R. M. Johnson, trap covers, voucher 3192	129 00
Item marked 16, M. G. Emery, trap-frames	39 16
	307 41

These items were deducted from P. McNamara's bill for sewer; they are, as in the foregoing cases, twice included in the auditor's statement.

D.—Item marked 24, P. McNamara, voucher 1745 of 1873 ..... $1,200 00

This also was a partial payment, and was deducted from P. McNamara's final voucher (3017–3021), 1873, in which this work is also erroneously credited as an extra item, and hence was charged three times to the street:

Correcting these errors and adding omissions, as done on statement marked B, the total expenditures of the street within the limits of old assessment 55, are shown to have been		$326,876 28
From this should be deducted the following amounts, in accordance with the regulations approved, viz:		
1. Amount of 2 feet of grading, included in the contract-price for wood pavement charged on this street but not done by the contractors, Messrs. DeGolyer & McClelland, and therefore an overpayment to them		$8,622 40
2. All repair-work, or work done twice:		
(2.) DeGolyer & McClelland	$544 23	
(5.) P. McNamara, resetting curb and cutting out intersections of streets	3,167 70	
(7.) Taking up and resetting curb	662 07	
(8.) Pay-roll of P. McNamara	267 29	
(9.) Pay-roll of W. H. Wright	16 27	
(15.) G. W. Goodall, lowering water-mains	1,226 10	
(16.) Rothwell & Holden, lowering water-mains.	891 19	
(17.) Pay-roll of W. Chase	50 45	
(28.) M. Cole	13 00	
		6,838 30
3. All bills for superintendence, v. 13 and 14		784 00
4. Dressing curb, erroneously allowed, voucher 7	3,343 00	
4. Dressing curb, erroneously allowed, voucher 7	199 56	
		3,542 56
The street, in the final voucher of P. McNamara, is charged with the full price of new curb furnished from the property-yard, which required no redressing, or which should not have been accepted from the contractor furnishing new curb, if it did require it.		
5. Colton's fence; the same being used to inclose the parking in the center of the street, and not in front of property		2,274 80
6. 5,761 feet of curbing, inclosing the parking in center of street.		6,913 20
7. The excessive cost of parking (soiling done by P. McNamara), as charged in voucher 3, the amount paid being for twice the actual measurement and consequently double board rates, and about twice that charged to any other street		7,278 50
8. Intersections:		
Charges to Second street, southeast	$2,839 35	
Charges to Third street (same as Second street), southeast	2,839 35	
Charges to Fourth street, southeast	2,366 58	
Charges to Sixth street (same as Fourth street), southeast	2,366 58	
C street south—		
Charge C street at Fourth street, southeast ...	453 28	
Charge C street at Sixth street, southeast.....	453 29	
At Fifth street, southeast—		
Charge north of reservation	506 19	
Charge south of reservation	506 19	
At Seventh street, southeast—		
Charge same as at Second and Third streets..	2,839 35	
		15,170 16
9. South Capitol street		8,331 68
10. Amount paid or due by United States:		
Reservation at First street east	14,558 20	
Reservation at Second street east	14,349 00	
Reservation at Third street east.....	18,701 50	
Reservation Fourth to Sixth streets east.....	77,926 40	

Reservation Seventh to Eighth streets east..	$24,675 90		
Reservation Fourth to Sixth streets east	3,780 00		
Reservation 4, 6, 7, and 8, balance of post	1,903 70		
Balance of grading and hauling.....	14,993 93		
		$170,888 63	
11. Water and sewer services, which are assessed in full.....		6,049 53	
			$236,693 76
			90,182 52
To which add, to make private property opposite government property pay full one-sixth of carriage-way (see Appendix C), two-thirds of 3,133 yards, at $3.30.....			6,892 61
			97,075 13

I.—REPORT OF THE INSPECTOR OF BUILDINGS.

OFFICE OF THE INSPECTOR OF BUILDINGS,
District of Columbia, November 1, 1877.

SIR: I have the honor to transmit my annual report for the year ending October 31, 1877.

Tabular statement of permits issued for buildings from November 23, 1876, *to February* 3, 1877, *without fees.*

Number and description.	Value.
18 brick buildings (new).....	$30,250
12 brick repairs, including back buildings, &c.....	4,345
1 brick stable and carriage-house (private).....	400
1 brick livery stable	2,500
3 brick churches.....	1,200
1 brick hospital.....	400
10 frame dwellings	11,475
11 frame repairs, including back buildings.....	2,975
1 frame building moved.....	400
58 Total value.....	53,945

Tabular statement of permits issued from February 3, 1877, *to date, with fees.*

Number and description.	Value.
699 brick buildings (new).....	$1,291,650
373 brick repairs, including back buildings	204,138
5 brick stables and carriage-houses (private).....	3,050
2 brick livery stables	15,175
6 brick churches.....	49,300
1 brick hospital	25,000
24 frame sheds, stands, &c	16,950
340 frame repairs, including back buildings.....	38,013
1,450 Total value.....	1,663,276
108 awnings.....	.....
12 vaults.....	.....

RECAPITULATION.

58	permits, without fees	$53,945
1,450	permits, with fees	1,663,276
108	awnings, with fees	.....
12	vaults, with fees	.....
1,628	permits, at a total value of	1,717,221

The revenue derived from permits for the nine months from February 3 to November 1 is $3,000, and as this has been a dull season, and the beginning of the enforcement of the new regulations, I think you may safely base the revenues to be derived from permits at $4,000 per annum.

By reference to the above statements it will be seen that the total number of new buildings erected during the year ending October 31, 1877, is 747, making a total number of buildings erected in the cities of Washington and Georgetown of 27,191. This is exclusive of buildings owned by the United States.

The total number of brick dwellings erected this year is 717, the same as that of last year.

Since the adoption of the new building regulations, there have been no permits granted for frame dwellings, but simply for repairs, woodsheds, &c., with a view to do away with frame buildings as fast as possible.

The building community is gradually becoming reconciled to the payment of fees for permits, &c., as they see the benefits derived from the supervision given by this office in the construction of their buildings.

Where work has been condemned for not conforming to the regulations, the orders from this office have generally been complied with.

There have been entered 271 complaints of unsafe and dangerous buildings, all of which have been examined and acted upon by the inspector and his assistants.

I have received valuable assistance from the police, who have reported several cases of violation of the building regulations, upon blanks furnished them by this office.

The outdoor duties, however, are very onerous, as building is going on in all parts of the cities of Washington and Georgetown.

The expenditures during the past year for preparing plans and specifications have amounted to the sum of $1,639.80. The appointment of Mr. Lauritzen as assistant and draughtsman, in place of the former first assistant, will do away with this expense, as the plans and specifications for District buildings will hereafter be done in this office under my supervision; and I think a more accessible and satisfactory record of the work can be kept under the present system.

STATION-HOUSES.

I find that the station-houses are all in a very good condition, except as to matter of ventilation, and such minor repairs as are constantly needed. The 1st precinct station-house must also be excepted.

The ventilation in the remodeled 7th station-house is good, and nothing is needed there; but in the cell and lodging-rooms of all the other stations, viz, 1, 2, 3, 4, 5, 6, and 8, the ventilation is so absolutely defective that common humanity demands immediate improvement. The foul air has no mode of escape, and officers, lodgers, and prisoners suffer seriously therefrom.

A very simple and economical remedy is this: to run a pipe of sufficient size along the top and rear of the entire row of cells, communicating by

a T with each cell through the arch, and to be further connected by one general flue with the hot-air chimney.

The 1st precinct or Island station-house, is not habitable in its present condition. The District is, however, incumbered with an unexpired lease.

The owner of the property has offered to the police commissioners to have the same put in proper repair, and to construct a new cell and lodgers' room upon the adjoining ground, provided the District will pay a fair additional rent therefor.

The present cells are below ground, the sewer leaks into them, and frequently they are filled with sewer overflow nearly their entire height.

I recommend that the addition be made under the supervision of this office, and a new lease for the unexpired time to April 1, 1881, be made, with an additional annual rent of $180, as proposed by the owner.

To ventilate the seven station-houses, as stated above, will cost about $500.

The general repairs to the various station-houses for the coming year, considering that they are in good repair at present, will require an appropriation of $1,000.

In making this report on station-houses I have been guided by the useful suggestions of Mr. Gatchel, the chairman of the committee on police station-houses.

NEW WORKHOUSE.

The appropriation for removing the old jail and building the new work-house will be entirely exhausted on the completion of the contracts for brick-work, iron-work, doors, and sash, and will leave the two parts, the north wing and center building, in an unfinished condition. To make them so that they can be occupied will require an appropriation of $2,500.

To erect the south wing, the foundations of which are laid, and put in furnaces to heat the entire building will require an additional appropriation of $7,500.

These additional appropriations became necessary when it was found that the material from the old jail was not sufficient, and further by the grade of the building-site necessitating a foundation 11 feet deeper than at first calculated for. This space below the basement was then converted into a subcellar, making a total additional expense of nearly three thousand dollars.

MARKET-HOUSES.

The market-houses are generally in good repair.

I would again call your attention to the necessity of building the market-house already commenced at Seventh and O streets, N. W., known as the Northern Liberty Market. The old sheds now in use are unsightly and unfit for use.

There will be required an appropriation of $2,000 to keep the different market-houses in repair for the coming year.

INDUSTRIAL HOME SCHOOL.

The old Georgetown alms-house, now used as an industrial home school, has been temporarily repaired for the winter by propping the east wall, which is in a dangerous condition, and must be taken down and rebuilt.

The cost of taking down said wall, rebuilding it, and replacing plastering, &c., will be $300.

ENGINE-HOUSES.

The board of fire commissioners recommend the construction of at least four new engine-houses. The cost of each engine-house will be $11,000, exclusive of the cost of ground. Engine-house No. 5, situated in Georgetown, is too small for the purpose, and in a dangerous condition, the walls being too thin, and considerably sprung. I would suggest that it be taken down and a suitable one built. The District owns sufficient ground adjacent to make it a suitable site.

The cost of taking down and rebuilding it, using the old material, will be $10,500.

SCHOOL-HOUSES.

The school-buildings owned and rented by the District are generally in good repair.

The John F. Cook school-building has been completed during the past year, and the Minor and Thompson school-buildings are nearly completed.

School-buildings containing about four rooms each might be built in each year, in localities most needed, at a cost of about $7,000.

As far as I have been able to ascertain, the expenditures for repairs to school-buildings during the coming year may be placed at $10,000.

ESTIMATES.

For general repairs to school-houses	$10,000
For repairs of station-houses	1,500
For completing north wing and center building of new workhouse	2,500
For completing south wing of new workhouse	7,500
For repairs to Industrial Home School	300
For rebuilding the Georgetown engine-house	10,500
For general repairs to market-houses	2,000

In regard to the expenditures during the past year upon buildings belonging to and used by the District, I have to refer you to the auditor's statement, as there has been no proper record kept by this office, work having been done by the heads of the different departments upon their buildings, and paid for without having been certified to and approved by the inspector of buildings, who has charge of all the District buildings.

I would recommend that all work, repairs as well as new work, be done under the immediate control and supervision of this office, and no work or material paid for unless it has been ordered and properly certified to by the inspector of buildings, who shall keep an account of all expendtures made on District buildings.

Respectfully submitted.

THOS. B. ENTWISLE,
Inspector of Buildings.

The Hon. THE COMMISSIONERS DISTRICT OF COLUMBIA.

K.—REPORT OF THE BOARD OF FIRE COMMISSIONERS.

OFFICE BOARD FIRE COMMISSIONERS,
November 12, 1877.

In compliance with your letter of the 23d ultimo, requesting that we make a detailed statement of the transactions of the fire department from our last report to the 1st proximo, with any recommendations we may think proper to make with the object of increasing the efficiency of the same; also, to forward an estimate of the amount required for its support for the fiscal year ending June 30, 1879, we have the honor to submit the following report:

The expenditures of the fire department for the year have been $92,881.75. This includes the purchase of one new hook-and-ladder truck, complete, nine new horses, a large quantity of new hose, repairs of engines and engine-houses. The estimates for the year amount to $85,980. For a particular and detailed estimate for all expenses of the department, we refer respectfully to the reports of the chief engineer and the superintendent of the fire-alarm telegraph, which reports are herewith transmitted. We especially call attention to that portion of the chief engineer's report which refers to the increase of the department, and the tabular statement showing the population of cities approximating in size to our two cities (Washington and Georgetown), with the number of engine and hook-and-ladder companies; and also the recommendation of the superintendent of the fire-alarm telegraph, looking to an extension of the telegraph system so as to give more prompt information of the existence of fire in the more remote and thinly-settled portions of the District, and for an increase in the employés of his office, all of which we heartily approve.

Also accompanying the chief engineer's report will be found a special estimate of the cost of equipping and maintaining for one year the three additional steam fire-engine companies and one truck company above recommended.

INCREASE OF THE FIRE DEPARTMENT ABSOLUTELY NECESSARY.

Realizing more than ever our great responsibility to you and the public in our management of this important trust committed to us, we feel we would be derelict in duty if we did not again earnestly impress upon you the absolute necessity for an increase of the force of the fire department of the District of Columbia.

Its efficiency is shown almost daily in the prompt suppression of fires which, if not checked, would result in disastrous conflagrations, a fact generally and thankfully acknowledged by our citizens. Its efficiency was especially exhibited at the recent fire at the Patent Office, and was fully recognized by the Secretary of the Interior and other government officials, but its numerical weakness was also shown on that occasion.

Two or more fires occurring simultaneously in thickly-settled portions of the District cities, with our present small force, might be attended by the most lamentable consequences.

The department should be re-enforced by an addition of at least three more engine companies, and one more truck company. This would only raise the force to its numerical strength previous to 1869, as in that year the federal government disbanded the three steam-fire engine companies it had organized here for the protection of government property during the war. It must be remembered, too, that our population

has largely increased during the present decade, and that since 1869, when the government engines were withdrawn from the city, new buildings have been erected in the District, costing in their construction about $15,000,000.

These new buildings have extended the built-up portions of Washington eastward almost to the Eastern Branch, and northward beyond the boundary, while in the northwest section of the city the expansion is equally noticeable. Large areas of open commons in all these sections have been covered by houses. The style of building, too, has changed, and instead of the fire-walls of old, between brick houses, we have long rows of residences, separated by thin partitions, and covered by one Mansard roof, open from end to end of the row, so that fire in one house threatens the destruction of all. While the building property in the city north of K street has risen to many millions in value, that section, containing some of the finest residences in the national capital, has not within its limits one engine company. The growth of the fire department must, in some measure, at least, keep pace with the expansion of the District cities, or we cannot properly be held responsible for the serious consequences which may ensue.

It must also be remembered that the investigations following upon the recent fire at the Patent Office developed the fact that not one of the federal buildings here is considered fire-proof by competent authority, except the new State Department building. Our fire department has already saved millions of dollars' worth of government property here by the suppression of fires at the Navy Department, arsenal, greenhouse, and elsewhere.

An examination of the ruins of the Patent Office fire shows conclusively that the flames, if they had not been fought back, would have extended into the Seventh and F street wings of the building, and done as much damage as to the other wings. The fire had already forced its way into the Seventh-street wing, among the roof-timbers, above the ceiling, and charred the cases on the floor below, when it was arrested.

The facts mentioned are potential reasons why the federal authority should bear their share of the expense of the maintenance of the District fire department, and, in our opinion, 50 per cent. of the cost should be borne by the national government.

It is so manifestly unjust that the citizens of the District of Columbia should pay for the protection of property of the general government that no argument should be necessary on that point.

THE FIRE-ALARM TELEGRAPH.

The improved fire-alarm telegraph constructed by your direction continues to work in the most satisfactory manner, and it is safe to say that the expense incurred has already been saved many times over by its celerity and certainty of operation, enabling the firemen to get almost immediate information of the discovery of fire. The same facts which show the necessity for an increase of the force of firemen, show also that an increase of the number of fire-alarm boxes is equally necessary. The large areas built up within the last few years, as mentioned above, are deficient in this protection. In cases of serious fire in such localities, much valuable time would be lost before an alarm-box could be reached. We would recommend that the system be enlarged, and forty additional boxes be added to the present number.

We would further suggest that each large government building in the

District, the navy-yard, the marine barracks, and other places where government property is at risk, also the public school buildings, ought to have at some easily accessible point a fire-alarm box. Had there been one in the Patent Office, and the alarm promptly turned in on the discovery of fire, it is safe to say that the loss by that fire would have been trivial.

WATER-SUPPLY.

There has been an addition of forty new fire-plugs, which largely increases our water-supply, placed in different sections of the District where most needed by the water department. In this connection we feel that it is a pleasure to say that the good work of the fire department is largely indebted to Col. T. Luby, the water-registrar, for the condition of the fire-plugs, which always insure a good supply, and never fail to work when called upon.

DISABLED FIREMEN.

We would call attention to the fact that no provision is made by law for members of the department who are unfit for active service by reason of disability incurred in the line of duty. We are compelled to carry these men on the rolls as active members, or else discharge them from the force broken in health and unable to make a living for themselves or families. We would recommend that provision be made for such men in other branches of the public service suited to their physical condition. Where men are so far broken in health, or maimed by accidents, as to be totally unfit for any duty whatever, they should be retired upon pay sufficient to keep them comfortably during the continuance of their disability. There are several men now in the department who will never be able to perform active duty as firemen, and some provision should be made for them at once.

In concluding this report we take very great pleasure in bearing testimony to the faithful and efficient manner in which the Chief Engineer, Martin Cronin, Assistant Chief Engineer W. O. Drew, and Superintendent of Fire-Alarm Telegraph H. R. Miles, and the men under their command, have discharged their duties. At all hours and, at times, under very trying circumstances, they have never failed or faltered in the performance of duty, and deserve well the good opinion of their fellow-citizens whom they so freely and cheerfully serve whenever called upon to save life and property endangered by fire.

All of which is respectfully submitted.

THOS. P. MORGAN,
President Board.
W. R. COLLINS,
Vice-President.
JAS. A. TAIT.
PETER F. BACON.
C. A. STEWART.
WM. B. REED,
Secretary.
THOMAS L. HUME.

Hon. COMMISSIONERS DISTRICT OF COLUMBIA.

OFFICE BOARD OF FIRE COMMISSIONERS,
DISTRICT OF COLUMBIA,
Washington, November 12, 1877.

GENTLEMEN: I have the honor to transmit herewith the annual report of the board and accompanying report of the chief engineer of the department, and of the superintendent fire-alarm telegraph.

By order of the board.

WM. B. REED,
Secretary District of Columbia Fire Department.

The Hon. COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

K 1.

WASHINGTON, D. C., *November* 12, 1877.

GENTLEMEN: I have the honor to submit herewith the annual report of the workings of the fire department from November 1, 1876, to October 31, 1877, including a statement of the number of fires, the losses and insurance, inventories of the property held by each company, and a complete roster of the force now composing the department.

It will be seen by the tables given that the year has been a comparatively busy one for the department, as the total number of alarms turned in was 163; actual fires, 131; false alarms, 7; chimneys, 23; test-alarms, 2.

The number of fires during the year as compared with last year shows an increase of ten, and compared with the average of the tast ten years an increase of thirty. A peculiarity of the fires of the past year has been that on three occasions at least, an opportunity was afforded of testing the capacity of the department. I refer to the fire at Young's mill in Georgetown, which is surrounded by other mills and many inflammable buildings; the fire at Willet & Libbey's lumber-yard and Mrs. Glascow's house, in different sections of the city, occurring simultaneously, and the Patent Office fire.

On all of these occasions an opportunity was offered for an extensive and devastating fire, but fortunately in each, owing to the untiring efforts of the men, they were confined to the premises in which they originated.

The aggregate alleged loss of this year as compared with last year shows an increase of $60,000, and as compared with the average losses of the past ten years a decrease of $31,000. In this statement the losses at the Patent Office fire have not been included, but the sum of $29,700, the loss by the Gheen stables, which occurred at the same time and grew out of the Patent Office disaster, is. It is needless to say that if the fire had occurred under the ordinary circumstances, when the entire attention of the department could have been given to it, the figures of the loss would have been materially reduced.

HOUSES AND APPARATUS.

The apparatus on hand consists of six engines, six hose-carriages, and one new and one old truck, the latter so completely out of repair as to render it absolutely worthless, and it should be rebuilt. The remainder are in good working order.

During the year all the engine-houses have been kept in good repair, and several of them considerably improved.

In Nos. 1, 2, and 4, and in the truck-house new floors have been laid, and in the first-named the stalls have been altered and arranged and fitted with the electric apparatus, so that upon the striking of an alarm the horses take their positions at the apparatus at once without the intervention or assistance of the men.

It was found necessary for the safety of the building that a new west wall should be constructed for No. 2 house, which has been completed, making it secure; but at a very early day it will be necessary to have a new front for the building. The steeple and large bell on the truck-house have been removed and the bell turned over to the property-clerk, in whose possession it remains.

During the year I called your attention to the necessity for the construction of a shed on the grounds of No. 4 company, in which the extra engine, hose-carriage, and fuel-cart could be protected from the weather. This necessity still exists, and I would urge the immediate building of the structure.

HORSES.

During the year nine new horses were purchased, and the old ones turned over to the property-clerk; leaving now in use and in serviceable condition twenty-nine animals.

HOSE.

The department in this particular is fully equipped, and in better condition than at any previous period, and now has on hand ready for service 16,000 feet of hose, in good condition, distributed among the companies as is shown by the reports of the foremen.

THE WATER-SUPPLY.

There are now in the District 757 fire-plugs, placed in the different sections, and all in good working order. Attention has heretofore been called to the fact that many of these plugs, especially those in the business portion of the city, which were first laid, have only the nine-inch outlet. In order that a full supply of water may be had in case of need, these plugs should all be altered to ten-inch outlet, and a number of new ones laid. During the year such has been the care taken of the plugs by the water department that on no occasion has one been found out of order when needed for use.

INCREASE OF THE DEPARTMENT.

For five years, each recurring report has urged the increase of the department, and pointed out the necessity for such a course, but an additional engine without a company, and a new truck, has been the only relief given; and this is not sufficient. In a small degree, the Patent Office fire has shown that the fancied security was a myth, and unless a larger working force is provided, at any moment we may be visited by a disaster such as has fallen upon sister cities, with fearful loss of life and property. With the force at command it would be next to impossible to properly control two large fires occurring at the same time, and such a catastrophe is liable to occur at any moment. In my opinion, to make the department what it should be, there are needed three additional fully-equipped engine companies and one new truck company with extension-ladder and fire-escape. The new truck is a good piece of apparatus, but the longest ladder is by far too short, and spliced ladders on a limited scale are now being made under my direction.

Referring to the Patent Office fire, I beg leave to make my special report on that subject, herewith inclosed, a portion of this document.

The following is a comparative statement of eight cities approximating in size to Washington, showing the population and the size of the fire department belonging to each of the cities named. This comparison is not made for the purpose of reflecting against any of the cities mentioned, but to show that the fire department of this city is sadly deficient in the numerical strength of fire apparatus. The populations given are according to the census of 1870, and the number of steam fire-engines and truck companies, from their annual reports.

Cities.	Population.	No. steam fire-engines.	Trucks.	Total.
Albany, N. Y	69,422	8	2	10
Buffalo, N. Y	117,714	13	3	16
Cleveland, Ohio	92,829	10	4	14
Detroit, Mich	79,577	8	2	10
Jersey City, N. J	82,546	12	4	16
Louisville, Ky	100,753	8	2	10
Newark, N. J	105,059	9	2	11
Pittsburgh, Pa	86,076	12	3	15
Washington, D. C	109,199	5	1	6
Georgetown, D. C	11,384			

FIRE-ESCAPES.

Late disasters have called the attention of the public to the necessity of fire-escapes in all large buildings where numbers of persons are congregated. It is, of course, impossible to designate any class of apparatus to be used for this purpose, as in the multiplicity of designs no common standard has been agreed upon by the fire departments, but speedy legislation should compel all proprietors of hotels, public halls, and business places to make the best arrangement possible in that direction, and a sense of justice should actuate the several chiefs of the government departments in the same manner.

In addition to fire-escapes, I would ask that in all the government buildings in the city iron ladders reaching from the ground to the roof be constructed and kept in position at all times, thus providing a mode of reaching the roof in time of fire should one occur. This precaution should also be taken by the hotels. Such ladders could be placed against the inside or court-yard walls of the public buildings, and in the others suitable places could be found so as to prevent their interfering with the appearance of the edifice.

ESTIMATES.

Accompanying this report will be found the estimates for the ensuing year. Also estimates for three new engine companies and one new truck company as recommended above.

CONCLUSION.

In concluding, I beg leave to state that the department at present is in perfect condition, so far as the morals of its membership are concerned, and the officers and men have, without exception, faithfully performed the responsible duties intrusted to them, and individually and collectively done their share toward maintaining the good name and fame of the fire department of the District of Columbia.

To the Commissioners of the District and to the board of fire commissioners I beg leave to express my thanks for the ready support and assistance rendered in the administration of the affairs of the department, and to express the hope that in its continued good conduct you may find your reward for the cheerful performance of public duties.

It gives me great pleasure to bear testimony to the efficient aid cheerfully rendered the fire department by the members of the Metropolitan police force on all occasions. Their assistance has in many cases been of a valuable character.

Respectfully,

MARTIN CRONIN,
Chief Engineer Fire Department, District of Columbia.

The COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

Cost of furnishing and equipping proposed new companies.

ONE ENGINE COMPANY.

House and lot	$13,000	
One engine	5,000	
One hose-carriage	700	
Four horses	1,000	
Harness	150	
Hose	2,200	
Fitting up house	1,000	
		$23,050

ONE NEW TRUCK COMPANY.

House and lot	13,000	
Improved truck and fire-escape	3,000	
Two horses	500	
Harness	75	
Fitting up house	1,500	
		18,075
Add two additional engine companies	46,100	
		87,225

Estimate for the amount required for the ensuing year with the present force.

Five engines and one truck company, $85,980.
With increase force, eight engines and two truck companies, $121,600.

Statistics of number of fires which occurred in the District of Columbia during the past thirteen years, from the organization of the paid fire department to the present time, November 1, 1877.

Year.	No. of fires.	Losses.
1865	55	$121,500
1866	95	259,000
1867	55	101,000
1868	53	138,000
1869	87	153,000
1870	127	118,000
1871	97	200,000
1872	95	141,000
1873	139	161,500
1874	109	99,500
1875	132	68,000
1876	121	40,230
1877	131	90,900
Total	1,296	1,692,530

MARTIN CRONIN,
Chief Engineer Fire Department, District of Columbia.

Summary of fires, loss, insurance, and alarms, from October 31, 1876, *to November* 1, 1877.

Date.	Loss.	Insurance.	Alarms.	Actual.	False.	Chimneys.	Test.
November, 1876	$450	$350	11	10	.....	1	.....
December, 1876	2,900	1,800	21	16	1	4	.....
January, 1877	13,600	13,300	14	12	.....	2	.....
February, 1877	1,200	1,000	13	10	.....	3	.....
March, 1877	1,650	1,000	14	9	4	1	.....
April, 1877	2,700	1,300	10	7	.....	3	.....
May, 1877	2,600	2,100	14	10	1	2	1
June, 1877	12,400	9,000	10	9	.....	1	.....
July, 1877	13,100	13,000	15	13	.....	2	.....
August, 1877	650	300	9	8	1	.....	.....
September, 1877	37,950	27,200	17	15	.....	2	.....
October, 1877	1,700	1,200	15	12	.....	2	1
Total	90,900	71,550	163	131	7	23	2

MARTIN CRONIN,
Chief Engineer Fire Department, District of Columbia.

OFFICE OF CHIEF ENGINEER,
FIRE DEPARTMENT, DISTRICT OF COLUMBIA,
Washington, November 12, 1877.

GENTLEMEN: I have the honor to present my annual report, and respectfully request that the same may accompany your report to the District Commissioners.

With great respect, your obedient servant,

MARTIN CRONIN,
Chief Engineer.

Hon. BOARD OF FIRE COMMISSIONERS.

K 2.

MEMBERS NO. 1 ENGINE COMPANY.

Names.	Age.	Occupation.	Residence.
Joseph Parris, foreman	41	Plasterer	L, bet. 18th and 19th sts.
James Moriarity	37	Machinist	K, bet. 20th and 21st sts.
H. B. Reed, fireman	.....	Plumber	23d, bet. G and H sts.
Aug. Dunbar	34	Laborer	2112 N st., n. w.
Frank Donnelly, private	34	Pattern-maker	1237 9th st.
William French, private	34	Laborer	L, bet. 18th and 19th sts.
S. E. Edwards, private	31	Blacksmith	16th, bet. R. and S sts.
Daniel Williams, private	36	Laborer	1212 24th st.
Robert Labille, private	33	Laborer	Myrtle st., No. 86.
John Kane	26	Plasterer	1st st., bet. B and C.

Inventory of stock and fixtures of No. 1 Engine Company.

BED AND SITTING-ROOM DEPARTMENT.

Stair oil-cloths.
75 blankets.
30 sheets.
35 pillow-slips.
8 towels.
8 arm-chairs.
1 stove.
1 clock.
1 sofa.
1 looking-glass.
2 pictures.
1 old duster.
1 center-table.
1 cover.
2 carpets.
12 gum spittoons.
30 bed-spreads.
12 iron bedsteads.
1 gong.
1 dust-pan and brush.
1 coal-hod and shovel.
2 stair-carpets.
10 window-shades.
1 writing-desk.
1 round table.
10 old spittoons.
20 hair and shuck mattresses.
10 plain chairs.
1 stub and roll book.
15 feather pillows.
1 checker-board.
1 scrub-brush and bucket.
1 pope's-head brush.
1 gong-box and lot of old crash.

BATH-ROOM.

1 looking-glass.
1 wash-stand.
1 dust-pan and brush.
1 hair-brush and comb.
1 soap-dish.
Oil-cloth in bath-room, old.
Passage and stairway oil-cloth.

HOSTLER'S DEPARTMENT.

4 horses, 2 in good condition.
4 sets harness, 2 in good condition.
2 extra sets reins.
3 buckets.
2 curry-combs and brushes.
2 mane-brushes.
2 forks.
1 shovel.
1 broom.
1 cutting-box.
2 extra bridles.
4 new and 4 old blankets.
1 hatchet.
1 wheelbarrow.

STORE-HOUSE.

3 shovels.
1 coal-shovel.
1 stable-broom.
2 forks.
4 extra lamps.
1 pair scales.
2 steam-gauges.
3 bottles of king of oils.
3 packages lamp-black.
3 globes, extra.
5 pounds carbolic soap.
1 coal-hod.
4 files.
2 shoe-brushes.
6 packages stove-polish.
6 papers tacks.
1 quart arnica.
1 quart coal-oil.
1 box brown soap.
1 pound acid.
6 B lamp-wicks.
4 curry-combs.
1 dozen coarse brooms.
½ gross matches.
12 S. E. cloth.
6 C. cloth.
1 whitewash-brush.
6 snaps.
6 hame-straps.
5 pounds cotton-waste.
5 pounds sponge.
3 chamois-skins.
2 stove-brushes.
1 hand-saw.
5 gallons machine-oil.
10 pounds castile-soap.
5 oil-cans.
6 papers tripoli.
1 hatchet.
2 whips.

ENGINE AND HOSE DEPARTMENT

1 engine, complete.
4 extra wheels.
2 monkey-wrenches.
6 assorted wrenches.
6 old files.
1 chisel.
1 screw-jack.
1 extra pole.
1 sponge.
1 chamois-skin.

Inventory of stock and fixtures of No. 1 Engine Company—(Continued.)

ENGINE AND HOSE DEPARTMENT—(Continued.)

1 stove.
1 coal-hod.
1 shovel.
2 oil-cans.
8 chairs.
1 water-cooler.
1 clock.
1 feather duster.
2 old whips.
4 tons stove-coal.
½ cord wood.
1 ton hard coal.
1 water-pot.
1 vice, old.
1 16-foot ladder.
1 hose-carriage, bad condition.
400 feet life-line.
1 compound hose-pipe.
1 smoke-cap.
1 extra carriage-pole.
2,550 feet serviceable canvas hose.
350 feet hose, in bad condition.
1 pipe-holder.
1 hose-oiler.
50 feet small gum hose.
1 crank-jack.

MISCELLANEOUS.

3 old benches.
200 feet old rope.
2 old brooms.
2 extra whiffle-trees.
1 pole.
No. 6 engine.
1 grate.

LIST OF MEMBERS ENGINE NO. 2.

Names.	Age.	Occupation.	Residence.
William A. Shedd, foreman	36	Machinist	317 12th st., n. w.
Samuel Dawes, engineer	38	Carpenter	920 C st., n. w.
Thomas L. Martin, fireman	38	Blacksmith	316 12th st., n. w.
Samuel Ricks, hostler	39	Hostler	304 13th st., n. w.
Charles Mead, private	36	Carpenter	451 T st., n. w.
Joseph Lenman, private	22	Blacksmith	409 11th st., n. w.
Frank Snyder, private	34	Hostler	2318 M st., n. w.
John Brosnan, private	24	Paver	1017 17th st., n. w.
Cal. Clark, private	38	Laborer	913 L st., n. w.
John F. Maddox, extra man	39	Wheelwright	920 C st., n. w.

Respectfully submitted.

WM. A. SHEDD,
Foreman Engine Company No. 2.

MARTIN CRONIN,
Chief Engineer District of Columbia Fire Department.

Inventory of stock and fixtures of No. 2 Engine Company.

ENGINEER'S DEPARTMENT.

1 single-pump Clapp & Jones engine, 1 patent relief-valve and Gould heater attached.
1 spring-bottom oiler.
2 spanners.
2 monkey-wrenches.
1 screw socket-wrench.
2 socket-wrenches.
2 socket-wrenches.
1 5-gallon machine-oil can.
1 5-gallon coal-oil can.
2 gallons machine-oil.
1 1-gallon machine-oil can.
12 sheets E. cloth.
1 pair wire-pliers.
1 vice and bench.
1 hammer.
2 cold chisels.
4 extra engine-wheels, old.
1 gallon axle-oil and can.
2 flat files.
2 half-round files.
1 soldering-iron.
½ S. solder.
1 pair Rig's pipe-tongs.
1 screw-jack.
1 cord pine wood.
3 tons soft coal.
2 pounds S. packing-solder.
2 pounds sheet-gum packing.
15 pounds cotton-waste.
5 pounds whiting.
½ pound oxalic acid.
6 papers tripoli.
1 extra engine-pole, old.
1 Y-connection.
2 gum goosenecks.
2 hand-lanterns.
1 clock.

Inventory of stock and fixtures of No. 2 Engine Company—Continued.

HOUSE DEPARTMENT.

12 iron bedsteads.
10 hair mattresses.
12 shuck mattresses.
11 feather pillows.
8 old hair pillows.
30 bed-spreads.
30 blankets.
24 pillow-slips.
24 sheets.
2 good carpets.
50 yards linen crash.
12 yards stair carpet.
12 yards stair oil-cloth.
12 common spittoons.
9 old gum spittoons.
2 clocks.
2 old sets of pole-straps.
2 old sets of breast-straps.
40 bushels oats.
900 pounds hay.
700 pounds straw.
6 bushels mixed feed.
1 peck rock salt.
1 peck flaxseed-meal.
4 new blankets and hoods for horses.
4 old hoods and blankets.
1 cutting-box.
1 feed-bin.
2 pitchforks.
1 half-peck measure.
3 knee-pads.
4 hitching-straps.
12 assorted snaps.
1 set lead-bars.
1 water-bucket.
4 circingles.
2 stable brooms.
1 shovel.
2 new collar-pads.
1 feed-sieve.
4 horse-troughs.

MISCELLANEOUS.

50 feet garden-hose.
1 pair shears.
3 extra glass water-guages.
6 chamois-skins.
1 pound sponge.
6 bars castile soap.
20 bars brown soap.
2 papers stove-polish.
½ gross matches.
2 scrub brushes.
2 paint brushes.
6 lamp wicks.
1 alarm-gong.
1 copper-bottom water-boiler.
1 coffee-boiler.
6 tin cups.
6 corn brooms.
2 hickory brooms.
1 horse-bucket, new.
1 crosscut-saw.
1 hatchet.
1 jack-plane.
5 pounds nails.
1 dozen window-lights.
1 backgammon-board.
22 arm-chairs.
12 tons stove-coal.
2 stoves and pipe.
2 coal-hods.
2 pokers.
2 dust-brushes.
1 stove-brush.
1 dust-pan.
2 feather-dusters.
1 water-pot.
3 door-mats.
1 looking-glass.
1 hair-brush.
2 combs.
1 center-table and cover.
1 secretary.
2 stove-shovels.
2 wash-stands.
1 bath-tub.
7 window-shades.
1 Bible.
1 blank roll-book.
1 alarm and 1 day book.
1 requisition-book.
1 step-ladder.

HOSE DEPARTMENT.

1 hose-carriage.
2,450 feet canvas hose.
750 feet, out of order.
2 axes.
2 ladder-straps.
2 Jones couplings.
1 reducer.
1 Y connection.
3 leather pipes and nozzels.
2 gum pipes.
2 patent spray-nozzles.
1 patent cut-off nozzel.
2 old brass pipes.
1 pair shafts.
1 pipe-holder.
2 Johnson pumps.
1 smoke-cap.
4 hand (2 old) lanterns.
100 feet picket-rope.
200 feet new cotton life-line.
2 gum buckets.
1 extra carriage-pole and jack.

Inventory of stock and fixtures of No. 2 Engine Company—Continued.

HOSTLER'S DEPARTMENT.

3 horses in good order.
1 improving from accident.
2 sets double harness.
1 set old double harness.
4 extra bits.
4 old collars.
3 extra traces.
6 halter-straps.
2 pad riding-saddles, one of them old.
1 clipping-machine.
2 curry-combs and brushes.
1 mane brush and comb.
2 whips.
2 old bridles.
1 harness-punch.
4 old collar-pads.
2 sets of pole-straps and improved snaps.

LIST OF MEMBERS OF ENGINEER'S COMPANY NO. 3.

Names.	Age.	Occupation.	Residence.
Geo. Spilman, foreman....	32	Laborer	24th street, between L and M.
Wm. Leeman, engineer...	40	Machinist	Md. ave., between 3d and 4th sts.
Frank Lewis, fireman	37	Painter.....	C street, between 3d and 4th.
Michael Kane, hostler....	31	Hostler.....	B street, between 3d and 4th.
Walter Cox, private.....	31	Carpenter	D st., bet. N. J. av. and S. Cap. st.
James Frazier, private....	36	Sailor	East Cap. street, bet. 8th and 9th.
Wm. Kirkpatrick, private	32	Carpenter	D st., between 1st st. and Del. av.
Jerry O'Leary, private....	29	Blacksmith	G street, between N. Cap. and 1st.
Robert Dickson, private..	24	Waiter	Washington st., bet. 4th and 5th.
Benj. Angell, extra man ..	24	Laborer.....	12th street, bet. E and F.
Wm. Luskey, extra man ..	30	Laborer	

Inventory of property of No. 3. Engine.

ENGINEER'S DEPARTMENT.

1 single pump upright Amoskeag engine, in first-class order, with 20 feet of suction-pipe.
1 patent relief-valve, 1 Walton heater attached.
7 wrenches, assorted.
2 oil-cans.
1 S wrench.
1 hammer.
1 thaw-cock.
2 lamps.
1 jack-screw.
1 poker and shovel.
10 feet small hose.
1 large spanner for air-vessel.
5 gallons coal-oil.
2 tons engine-coal.
1 small axe.
1 pair scissors.
½ cord sawed and split wood.
3 gallons machine-oil.
1 bucket.
1 feather-duster.

HOSTLER DEPARTMENT.

5 horses.
2 sets of double harness, in good condition.
2 sets double harness, old.
5 old collars.
4 poll-straps.
1 set single harness, old.
2 riding saddles.
1 old bridle.
2 currycombs and brushes.
2 pitchforks; 1 old, 1 new.
4 horse-blankets, in good condition.
1 shovel.
1 stable-broom.
1 horse-bucket.
1 whip.
25 feet small hose.
1 large feed-bin.
30 bushels oats.
700 pounds hay.
600 pounds straw.

HOSE-CARRIAGE DEPARTMENT.

1 hose-carriage, complete.
1,900 feet canvas hose, in good condition.
2 gum pipes.
2 leather pipes.
200 feet guard-line.
200 feet life-line.
1 fire-ax.
2 lanterns.
2 Johnson pumps.
600 feet leather hose, in good condition.
1 jack-screw.
2 reducers.
1 plug-key.

Inventory of property of No. 3 Engine—Continued.

HOSE AND FURNITURE.

24 chairs, good condition.
2 center-tables, good.
2 table-rugs, good.
3 carpets, good.
2 stair-carpets and rods.
12 bedsteads, good.
20 mattresses, old.
20 pairs blankets, good.
20 bedspreads, old.
20 sheets, good condition.
20 pillow-cases, good condition.
10 pillows.
6 towels, good condition.
6 towels, old.
40 yards linen crash, old.
18 spittoons, good condition.
½ dozen corn brooms.
2 looking-glasses, good condition.

STORES ON HAND.

12 papers tripoli.
2 pounds sponge.
3 chamois-skins.
12 pounds castile soap.
½ box brown soap.
½ dozen papers tripoli polish flint.
½ gallon castor oil.
4 mops, new.
2 long-handled brushes.
4 small lamp-globes.
1 watering-pot.
1 hand-saw, new.
100 feet of hemp rope, new.
25 feet of gum hose.
1 scoop-shovel.
2 stable-brooms.
4 bottles of King's oil.
dozen papers sapolis.

Respectfully submitted.

GEORGE SPILMAN,
Foreman Engine Company No. 3.

LIST OF MEMBERS.

Names.	Age.	Occupation.	Residence.
William T. Sorrell	42	Mariner	412 12th street, s. w.
Thomas G. Good	35	Engineer	489 E street, n. w.
Levi Moling	33	Blacksmith	608 D street, n. w.
James Springman	25	Hostler	Corner Maryland ave. and 6th street, s. w.
John Waldron	31	Paver	324 E street, s. w.
F. H. Myers	26	Carpenter	1324 Union street, s. w.
William White	35	Brick-maker	124 Willow Tree alley.
William Ricks	26	Engineer	126 Willow Tree alley.
Daniel F. Craven	26	Mariner	229 10th street, s. e.
John H. Casteell	30	Engineer	711 8th street, s. e.
Charles Boss	26	Scroll-sawer	405 6½ street, s. w.
Charles Carter	24	Miller	1208 11th street, s. e.

Respectfully submitted.

WM. T. SORRELL,
Foreman No. 4 Engine Company.

MARTIN CRONIN, Esq.,
Chief Engineer District Columbia Fire Department.

Inventory of property of No. 4 Engine Company.

ENGINEER'S DEPARTMENT.

1 third-class Silsby engine.
1 Gould heater.
1 goose-neck.
3 blind-caps.
2 extra wheels.
1 extra pole.
1 three-gallon oil-can.
10 pounds patent packing.
7 spanner-wrenches.
2 socket-wrenches.
1 tube-wrench.
1 T-socket wrench.

Inventory of property of No. 4 Engine Company—Continued.

ENGINEER'S DEPARTMENT.—Continued.

2 monkey-wrenches.
2 pole-straps.
5 lamps.
2 reducers.
1 ten-gallon oil-can.
2 small oil-cans.
3 files.
2 check-valves.
1 slip-joint.
1 pipe-wrench.
1 shovel.
1 slice bar.
1 relief-valve.
1 vise.
2 pole-snaps.
1 hammer.

HOSEMEN'S DEPARTMENT.

1 hose-carriage.
2,200 feet canvas hose.
2,100 feet old leather hose.
150 feet bursted hose.
3 branch-pipes, in good order.
3 old pipes, bursted.
6 nozzles.
1 butt of nozzle.
50 feet garden-hose.
1 pipe-holder.
1 pair shafts.
2 axes.
1 goose-neck.
1 gum bucket.
4 half-traces.
1 globe-lamp.
5 ladder-straps.
2 pole-straps.
2 pole-snaps.
2 Johnson pumps.
1 jack-screw.
4 figure-8 rings.

HOSTLERS' DEPARTMENT.

4 horses, in good order.
2 extra horses, in good order.
4 sets harness.
4 hitching-straps.
2 old bridles.
10 hame-straps.
1 clipping-machine.
1 harness-punch.
1 stable-broom.
1 wheelbarrow.
3 halter-chains.
1 feather duster.
2 sponges.
1 cutting-box.
2 breeching-straps.
2 old headstalls.
3 collar-pads.
4 curry-combs.
4 horse-brushes.
2 mane-brushes.
2 pad saddles.
7 snaps.
4 old halters.
2 pitchforks
4 horse-blankets.
2 old horse-blankets.
1 single set harness.
2 stable-buckets.

FURNITURE.

10 iron bedsteads.
20 mattresses.
22 pillows.
30 blankets.
1 clock.
3 stoves.
3 looking-glasses.
32 chairs.
1 writing-desk.
3 scrub-brushes.
1 window-brush.
1 feather duster.
3 floor-mops.
1 bath-tub.
1 watering-pot.
20 spittoons.
2 brooms.
1 whisk-broom.
2 hair-combs.
2 hair-brushes.
25 bed-sheets.
20 pillow-cases.
1 table.
1 washer-cutter.
1 water-cooler.
1 frame of rules.
1 alarm-gong.
2 old carpets.
7 pieces oil-cloth.
10 towels.
6 window-shades.
1 table-cover.
1 wash-stand.
3 pieces zinc.
2 coal-hods.
1 inkstand.

STORE-HOUSE DEPARTMENT.

15 pounds cotton waste.
24 sheets emery-cloth.
24 sheets crocus-cloth.
6 papers tripoli powder.
1 pound acid.
6 papers stove-blacking.
2 sponges.
1 chamois-skin.
12 tons hard coal.
3 gallons lard-oil.
55 bars brown soap.
4 bars castile soap.
4 tin cups.
1 lamp-globe.
½ gallon sturgeon-oil.
½ gallon arnica.
1 cord sawed and split wood.
2 tons splint-coal.
5 gallons coal-oil.
½ gallon varnish.

Inventory of property of No. 4 Engine Company—Continued.

MISCELLANEOUS.

1 extra engine, complete.
1 fuel-cart, complete.
1 old truck, in bad order.

Inventory of property of No. 5 engine.

WASHINGTON, D. C., *October* 30, 1877.

SIR: I most respectfully submit the following list of property of No. 5 Engine Company:

One two-story brick house, High street, between Bridge and Grace streets, Georgetown, with large bell and hose-tower attached.

ENGINEER'S DEPARTMENT.

1 double-pump second-class Amoskeag engine, complete.
1 Basshor coil-heater.
1 Pruntye's relief-valve.
4 extra wheels.
2 squirt-cans.
1 machine-oil can.
2 gallons machine-oil.
1 screw-jack.
5 large files.
5 small files.
2 shovels.
1 slice-bar.
1 tube-scraper.
2 sets of Jones sleeve-connections.
1 reducer.
1 plug-thawer.
1 hand-ax.
4 old spring-clamps.
1 lead-rope.
1 brass plug.
1 old blow-off cock.
6 tube-irons.
4 air-chamber spanners.
1 small cut-off valve.
1 feather duster.
1 vise and bench.
30 feet of rope.
1 plug-wrench.
32 old valve-springs.
6 extra pump-cups.
10 wrenches.
4 lanterns.
2 old sets crank-brasses.
4 monkey-wrenches.
4 chain half-traces.
2 pole-chains.
2 extra sets of grate-bars, with extra centers.
1 grate-pattern.
8 new gum springs.
6 old gum springs.
2 extra glasses for water-gauge.
1 gallon castor-oil.
12 balls lamp-wick.
4 pounds Selden's packing.
20 pounds waste.
5 pounds gum packing.
1 cord sawed and split wood.
1 ton splint-coal.
2 seat-cushions.
2 brass pipes and nozzles.
1 extra nozzle.
1 clock.
1 gong.
1 extra steam-gauge.
1 register-gauge.
1 plug-key.
1 pound tallow.
2 old elliptic springs.
5 gallons coal-oil.
2 coal-oil cans.

HOSE DEPARTMENT.

1 extra hose-carriage with 1,200 feet of cotton hose.
Company's carriage in repair shop.
1,100 feet of extra cotton hose.
350 feet of cotton hose in bad condition.
100 feet of old gum hose.
6 leather hose-pipes with nozzles.
1 cut-off nozzle.
4 spray-nozzles.
1 pipe-holder.
1 well-wheel for hose-tower.
5 ladder-straps.
2 jacks.
4 lanterns.
1 reflecting-lamp.
2 Johnson force-pumps.
1 plug-wrench.
1 plug-key.
1 reducer.
1 gum bucket.
1 pair shafts.
4 extra wheels.
1 extra pole.
2 extra single-trees, with leather half-traces.
50 feet of rope for hose-tower.
1 fire-ax.
3 sets of Jones hose-connections.
2 old springs.
1 large nut-wrench.
1 leather goose-neck.
1 hose oil-can.
1 feather duster.
3 pipe-racks.
1 tap.
1 seat-cushion.
2 spool-straps.
5 spanners.
5 hose-patches.
2 fenders for hose-tower.
1 extra brake-block.
4 gum bumpers.
1 smoke cap and box.
200 feet cotton rope.

Inventory of property of No. 5 Engine Company—Continued.

HOUSE DEPARTMENT.

1 fire-alarm gong.
1 Morse key and sounder.
Schneider's improvement for releasing horses from their stalls by the stroke of the gong.
12 iron bedsteads.
22 mattresses.
11 feather pillows.
9 hair pillows.
39 white double blankets.
1 white single blanket.
3 gray blankets.
82 sheets.
50 pillow-slips.
20 towels.
41 bed-spreads.
20 spittoons.
18 chairs.
1 old bunk-room carpet.
1 old bath-room oil-cloth.
1 new stair-carpet.
1 old stair-carpet.
1 new stair oil-cloth.
1 old stair oil-cloth.
16 brass stair-rods.
54 yards carpet-crash.
5 floor-mats.
1 clock.
1 table.
1 writing-desk.
16 window-shades.
8 old window-shades.
1 looking-glass.
1 comb and brush.
2 book-cases.
12 lockers.
1 water-cooler.
3 buckets.
2 stoves and pipe.
3 stove-brushes.
2 coal-hods.
2 small shovels.
1 large shovel.
8 tin cups.
8 spoons.
1 coffee-pot.
1 bucket for sugar.
1 bucket for coffee.
6 pounds sugar.
4 pounds coffee.
1 feather duster.
2 hair dust-brushes.
1 washer-cutter.
1 tin boiler.
1 copper boiler.
1 hand-saw.
1 hatchet.
1 step-ladder.
2 company books.
3 blank-books.
1 requisition-book.
12 tons hard coal.
2 pieces zinc.
2 squirt-cans.
1 bottle ink.
1 pair scissors.
1 paper-cutter.
8 scrubbing-brushes.
2 benches.
3 fire-alarm keys.
2 inside keys.
1 master-key.
6 floor-mops.
7 floor-mop handles.
2 sprinkling-cans.
60 feet street-hose and pipe.
2 whitewash-brushes.
1 dust-pan.
1 bath-tub.
1 wash-stand.
1 urinal.
1 water-closet.

HOSTLER'S DEPARTMENT.

4 horses, 2 new.
4 sets double harness, complete.
1 Dutch collar.
4 new horse-blankets.
4 old horse-blankets.
4 old horse-hoods.
1 clipping-machine, in bad condition.
2 buckets.
6 curry-combs.
2 horse-brushes.
4 pitchforks.
6 surcingles.
1 nose-bag.
4 line-chains.
1 extra collar.
1 peck-measure.
1 horse-boot.
2 sets of improved pole-strap snaps and figure-8 rings.
4 old figure-8 rings.
2 old pole-strap snaps.
1 watering-trough.
2 old wagons.
2 shovels.
3 stable-brooms.
1 saddle.
4 old bridles.
4 old bits.
7 halter-stems.
1 halter-chain.
4 hitching-straps.
1 old set of double lines, incomplete.
1 hay-cutter.
8 cans harness-oil.
1 head-halter.
1 neck-halter.
1 single and double block.
100 feet rope.
1 harness-punch.
4 whips.
6 snaps.
1 pair clipping-shears and comb.
1 pint of oil origanum.
½ pint arnica.
½ pint sweet spirits niter.
4 old collar-pads
6 extra pole-straps.
2 feed-bins.
1 box for mixing feed.
2 mane-combs.
1 sifter.

Inventory of property of No. 5 Engine Company—Continued.

FEED.

10 bushels of oats.	1 bushel meal.
15 pounds hay.	2 bushels bran.
150 pounds straw.	¼ bushel flaxseed meal.

STORE-HOUSE DEPARTMENT.

27 papers Eagle tripoli.	4 sheets crocus cloth.
1 paper Drew's tripoli.	30 sheets emery cloth.
1 bar castile soap.	36 boxes of matches.
4 pounds rotten-stone.	1 boxaxle-grease.
3 pounds stove-polish.	½ box brown soap.
5 pounds oxalic acid.	10 corn brooms.
1 pound whiting.	4 chamois.
12 lamp-wicks.	8 lamp-globes.
4 pounds sponges.	2 extra lanterns.
8 papers sapolio.	3 papers copper rivets.
6 new lamp-burners.	2 pounds copper wire.
6 old lamp-burners.	1 brass cock.
36 pounds nails.	5 unserviceable lanterns.
4 papers tacks.	Small lot of old iron and brass.

ASSISTANT CHIEF'S DEPARTMENT.

1 carriage.	1 gum horse-cover.
2 horses.	2 lap-robes.
1 extra pair shafts.	1 extra bridle.
4 extra wheels.	2 horse-boots.
1 lamp and globe.	1 whip.
1 lamp-rack.	4 extra breeching-straps.
1 reflecting-lamp.	1 old set of leather half-traces.
2 sets single harness, complete.	1 extra set of lines.
2 incomplete sets of single harness.	4 extra shaft-tags.

LIST OF MEMBERS.

Names.	Age.	Occupation.	Residence.
Louis P. Lowe, foreman	28	Clerk	133 Dunbarton street.
Edward Rhodes, engineer	38.	Engineer	28 Frederick street.
Jefferson D. Angell, fireman	30	do	5 First street.
James H. Mahorney, hostler	36	Carpenter	14 Third street.
Albert Dodson, assistant hostler	33	Laborer	38 Fourth street.
James Cleaveland, private	35	Shoemaker	168 Bridge street.
James T. Norris, private	33	Laborer	38 High street.
Churchill Huitt, private	31	do	2420 Virginia avenue.
James T. Greaves, private	28	Engineer	130 Bridge street.
John W. Walker, disabled private	40	Bricklayer	190 Bridge street.
James Burroughs, extraman	26	Tinner	25 Frederick street.
Robert Chamberlin, extraman	26	Blacksmith	Fayette st., near 8th st.

Very respectfully,

LOUIS P. LOWE,
Foreman No. 5 Engine Company.

MARTIN CRONIN,
Chief Engineer District of Columbia Fire Department.

Inventory of property of No. 1 Truck Company.

WASHINGTON, D. C., *October* 30, 1877.

SIR: I respectfully submit the following list of property in charge of No. 1 Truck Company. This company occupies a two-story brick house, the property of the District of Columbia, located on Massachusetts avenue, between Fourth and Fifth streets northwest:

Inventory of property of No. 1 Truck Company—Continued.

TILLERMAN'S DEPARTMENT.

1 hook and ladder truck, Babcock patent, of Chicago, Ill.
11 ladders of different lengths, including Chief Cronin's patent aerial ladder.
9 small fire-hooks.
4 axes.
2 picks.
12 leather fire-buckets.
1 grapnel-hook with wall chain attached.
4 hand-lanterns.
2 signal-lamps.
4 crowbars.
4 pitchforks.
2 gas keys.
2 street-ropes.
1 16-inch gong.
2 life-lines.
2 sections linen hose.
1 shingle-spade.
2 ladder-poles.
4 patent smoke-caps.
4 monkey-wrenches.
2 wheel-wrenches.
1 wheel-jack.
1 extra pole for truck.
2 fire-extinguishers, Gardner's patent.
1 pair pliers.
1 old hook and ladder truck, unfit for service.
1 shingle-bar.
2 pitchforks.
6 ladders.
6 hooks.
1 hose-carriage.
12 sections good leather-hose.
2 leather hose-pipes.
2 ladder-straps.
1 pair shafts for hose-carriage.
1 pole for hose-carriage.
2 sets single-trees.
1 section old leather-hose.
1 section old linen-hose.
1 section good rubber-hose.
1 hose-holder.
2 pieces sponge.
2 chamois skins.

HOSTLER'S DEPARTMENT.

5 horses.
1 new double set harness, complete.
1 old double set harness, complete.
1 old single set harness for hose-carriage.
2 old sets harness, chief engineer's wagon.
1 new set harness, chief engineer's wagon.
1 pad-saddle.
4 extra collars.
2 new curry-combs.
3 old curry-combs.
2 new horse-brushes.
3 old horse-brushes.
5 extra driving-bits.
1 mane-brush and comb.
1 extra pair double reins.
1 extra pair single reins.
1 pair hames.
3 horse-blankets, good.
2 old horse-blankets.
1 new gum horse-cover.
1 old gum horse-cover.
2 surcingles.
2 extra bridles with blinds.
3 old extra bridles.
5 halter stems.
1 lot old harness and straps, worthless.
1 revolving harness-punch.
2 pieces sponge.
2 pieces castile soap.
50 bushels oats.
4 bushels bran.
2 bushels meal.
¼ bushel flaxseed.
1,200 pounds hay.
800 pounds straw.
2 linen lap-cloths.
3 woolen lap-robes.

BEDDING.

12 iron bedsteads.
23 mattresses.
13 feather pillows.
8 hair pillows.
12 new bed-spreads.
12 old bed-spreads.
32 double blankets.
7 single blankets.
27 new cotton-sheets.
33 old cotton-sheets.
19 new pillow-cases.
23 old pillow-cases.

FURNITURE.

1 carpet for bunk-room.
1 carpet for bath-room.
1 carpet for foreman's room.
1 carpet for hall-way and stairs.
58 yards linen crash.
13 brass stair-rods.
16 arm-chairs.
11 papier-maché spittoons.
5 gum spittoons.
11 china spittoons.
1 office-desk.
1 looking-glass.
2 stoves.
6 new window-curtains.
6 old window-curtains.
2 wooden benches.
2 sets rules and regulations, framed.
6 floor-mats.
28 globes for chandeliers.
1 chandelier.
1 toilet-brush and comb.
2 stove-pokers.
1 piece.
1 fire shovel.

Inventory of property of No. 1 Truck Company—Continued.

STORES.

21 papers carpet-tacks.
6 bottles liniment.
8 papers tripoli.
½ pound whiting.
10 lamp-globes.
3 hose-pipe nozzles.
24 leather straps, different sizes.
3 dozen boxes matches.
5 papers horse-powders.
4 cans soda for fire-extinguishers.
½ gallon castor-oil.
12 pounds castile soap.
4 stable-brooms.
1 quart machine-oil.
1 squirt-can.
1 pound copper rivets and burs.
1 quart arnica.
7 corn-brooms.
8 chamois skins.
2 pieces sponge.
5 ax-handles.
9 brass-lanterns.
4 panes window-glass.
2 dust-brushes.
5 long-handled scrub-brushes.
24 sheets emery-cloth.
3 axes.
Large coil tarred rope, coil ½-inch hemp rope.
2 pair hinges.
1 paper lamp-black.
4 gallons coal-oil.
1 pound cotton-waste.
1 pound acid.
2 papers stove-blacking.

MISCELLANEOUS ARTICLES.

2 coal hods.
1 paper-cutter.
1 wall-duster.
1 coffee-pot.
3 tin oil-cans.
1 hand-ax.
1 requisition-book.
6 tin-cups.
50 feet small gum-hose and pipe.
5 fire-plug keys.
2 inside keys.
2 dust-brushes.
1 step-ladder.
1 inkstand and sponge-cup.
2 water-coolers.
1 coffee-bucket.
2 paint-brushes.
1 hatchet.
1 water-pot.
6 iron spoons.
4 fire-alarm box-keys.
2 master-keys.
2 white brushes.
1 dust-pan.
1 water-boiler.
1 sugar-bucket.
1 tin wash-tub.
2 hand-saws.
2 single blocks.
1 feather duster.
3 report-books.

BOOKS AND WEEKLY PAPERS.

10 months' subscription of Harper's Monthly and Weekly.
10 months' subscription of Frank Leslie's Monthly and Weekly.
10 months' subscription of Appleton's Journal.
10 months' subscription of Scientific American.

NAMES OF MEMBERS OF NO. 1 TRUCK COMPANY.

Names.	Rank.	Occupation.	Residence.
Sam'l D. Mackey..	Foreman.....	Clerk.....	313 I street northwest.
Chas. E. Merillat..	Tillerman....	Plumber.....	740 Fourth street northwest.
Alexander Sevoy..	Hostler.....	Hostler.....	420 First street southwest.
Henry F. Steele...	Private.....	Blacksmith..	422 Eleventh street southeast.
John Maker	Private.....	Waiter	414 Washington street.
Thos. R. Newman.	Private.....	Blacksmith..	1118 New Jersey avenue southeast.
William Beynon ..	Private	Mariner.....	2416 M street northwest.
Thos. J. Coffey....	Private.....	Laborer.....	306 C street southwest.
Jos. H. Daniels....	Private.....	Jeweler.....	316 K street northeast.
Jno. E. Melson....	Private.....	Laborer.....	325 B strett northeast.
Chas E. Lenman ..	Temporary private.	Blacksmith ..	1006 Sixteenth street northwest.

Respectfully submitted.

SAM'L D. MACKEY,
Foreman No. 1 Truck Coompany.

MARTIN CRONIN, Esq.,
Chief Engineer District of Columbia Fire Department.

K 3.—*Record*

No. of fire	Date.	Hour.		Box.	Owner.	Style of building.	Cause.	How occupied.
	1876.	*a. m.*	*p. m.*					
1	Nov. 5	.....	7.05	19	.....	.....	Coal-oil explosion	.....
2	Nov. 11	5.40	.....	712	Trinity church..	Brick.....	Defective flue	School-room .....
3	Nov. 11	6.00	6.15	13	.....	...do	Lamp explosion...	Dwelling .....
4	Nov. 15	.....	5.20	132	L. Snow.....	...do	Unknown.....	....do .....
5	Nov. 21	.....	5.52	71	.....	.....	Lamp explosion...	.....
6	Nov. 23	10.51	.....	24	H. Phillips.....	Frame	Coal-tar.....	Stable .....
7	Nov. 24	10.20	.....	45	S. Hughes	Brick.....	Sparks from chimney.	Dwelling .....
8	Nov. 24	.....	7.00	123	Jewish synagogue.	...do	Furnace	Church .....
9	Nov. 28	11.30	.....	423	.....	Frame	Unknown.....	Dwelling .....
10	Nov. 29	.....	2.20	37	W. Lincoln	...do	Stove-pipe	....do .....
11	Nov. 29	.....	9.20	125	W. Whitehead..	...do	Unknown.....	...do .....
1	Dec. 1	.....	10.30	315	.....	...do	.....	Smoke-house.....
2	Dec. 2	2.00	.....	126	.....	Brick.....	Coal-stove	Produce-store.....
3	Dec. 2	11.25	.....	17	S. Silver	...do	Defective flue	Fancy-store.....
4	Dec. 3	.....	5.35	42	.....	.....	Chimney.....	.....
5	Dec. 3	.....	11.40	612	Gen. Hennessy .	Brick.....	Coal from stove...	Dwelling .....
6	Dec. 4	.....	9.00	613	.....	.....	.....	.....
7	Dec. 8	9.50	.....	61	.....	.....	.....	.....
8	Dec. 9	5.00	5.00	213	B. Stearns	Frame	Incendiary.....	Butcher-shop .....
9	Dec. 9	8.55	8.55	217	W. McPherson..	...do	Sparks from chimney.	Dwelling .....
10	Dec. 9	.....	3.50	124	Waverly House	Brick.....	....do	Boarding-house...
11	Dec. 9	.....	7.00	23	.....	.....	Chimney.....	.....
12	Dec. 9	.....	8.40	31	.....	.....	...do	.....
13	Dec. 10	7.15	.....	212	.....	.....	.....	.....
14	Dec. 11	3.30	.....	145	Mrs. Spades.....	Brick.....	Register	Dwelling .....
15	Dec. 13	10.05	.....	42	J. Devlin	Frame	Stove sparks.....	....do .....
16	Dec. 15	8.40	.....	71	J. D. Castleman.	...do	....do	Office .....
17	Dec. 19	9.25	.....	14	.....	.....	Chimney.....	.....
18	Dec. 20	8.15	.....	27	.....	.....	.....	.....
19	Dec. 24	4.20	.....	731	Libbey Brothers	Frame	Incendiary.....	Lumber-sheds ....
20	Dec. 24	11.30	.....	19	Moses Perley ...	Brick.....	Furnace	School .....
21	Dec. 29	.....	11.30	42	.....	Frame	Stove-pipe	Office .....
	1877.							
1	Jan. 1	10.10	.....	721	.....	Frame	Unknown.....	Junk-store, &c....
2	Jan. 2	.....	7.30	712	Mrs. Harrington	...do	.....	.....
3	Jan. 2	.....	9.00	128	Charles Mades..	Brick.....	Unknown.....	Restaurant .....
4	Jan. 3	.....	6.30	14	.....	Frame ...	Playing with matches.	Dwelling .....
5	Jan. 4	.....	5.45	213	.....	.....	Lamp explosion...	.....
6	Jan. 12	9.00	.....	125	Behrend & Co...	Brick.....	.....	Fancy-store.....
7	Jan. 14	1.30	.....	413	J. Meyer.....	Frame	Incendiary.....	Grocery-store .....
8	Jan. 15	9.55	.....	15	.....	...do	Stove-pipe	Dwelling .....
9	Jan. 19	10.15	.....	73	.....	.....	Chimney.....	.....
10	Jan. 21	.....	1.00	215	.....	.....	.....	.....
11	Jan. 22	.....	5.35	36	.....	.....	Chimney.....	.....
12	Jan. 24	12.35	.....	24	Dist. of Columbia	Brick.....	Unknown.....	School .....
13	Jan. 24	9.10	.....	24	....do	...do	....do	....do .....
14	Jan. 27	.....	2.50	41	J. Smith	Frame	Stove-pipe	Dwelling .....
1	Feb. 3	4.40	.....	132	J. McClelland ...	Brick.....	Sparks.....	Foundery .....
2	Feb. 5	.....	10.20	132	.....	.....	Coal-oil explosion	.....
3	Feb. 6	.....	3.30	35	J. Harris	Frame	Stove	Dwelling .....
4	Feb. 7	.....	6.15	56	J. Darby	...do	....do	....do .....
5	Feb. 7	.....	7.20	43	S. Jackson	...do	Coal-oil	....do .....
6	Feb. 10	.....	10.00	54	.....	.....	Coal-oil explosion	.....
7	Feb. 11	.....	12.20	213	J. Harrison	Frame	Chimney.....	Dwelling .....
8	Feb. 14	1.20	.....	41	.....	...do	.....	Wood and coal office.
9	Feb. 14	.....	7.50	212	.....	.....	Chimney.....	.....
10	Feb. 17	.....	6.17	123	.....	.....	...do	.....
11	Feb. 20	.....	11.30	612	J. D. Cady	Frame	Incendiary.....	Feed-store .....
12	Feb. 21	.....	9.45	23	William Slade ..	...do	....do	Stable .....
13	Feb. 28	.....	9.10	24	.....	.....	Chimney.....	.....
1	Mar. 5	.....	5.15	128	.....	.....	.....	.....
2	Mar. 6	12.45	.....	132	.....	.....	Coal-oil lamp.....	.....
3	Mar. 10	.....	6.00	131	.....	.....	.....	.....

of fires.

Occupant.	Location.	Damage.	Insurance.	Remarks.
.....	.....	.....	.....	
.....	Corner 2d and Frederick streets	$75	$75	
.....	Corner B and 3d streets west.....	Slight.	.....	
.....	Corner 13th and D streets, n. w.....	$100	.....	
.....	Georgetown	100	.....	
.....	O street between 4th and 5th.....	100	.....	
.....	N street between 4½ and 6th	100	.....	
.....	Corner 6th and G streets.....	100	.....	
.....	Burroughs' alley, s. w	200	200	
.....	L street between 18th street and Connecticut avenue.	150	150	
.....	.....	Slight.	.....	Loss insured.
.....	Twenty-second and O streets, n. w	$400	.....	
.....	Louisiana avenue between 9th and 10th streets.	Slight.	.....	
.....	Pennsylvania avenue between 7th and 8th streets.	Slight	.....	
.....	.....	.....	.....	
.....	.....	.....	.....	
.....	Second street between C and D, n. e...	$300	.....	
.....	.....	.....	.....	Fire in the county; hay-barn.
.....	New York avenue	100	.....	
.....	Eleventh street and Rhode Island ave.	1,500	1,200	
.....	Corner of Boundary and 22d street....	.....	.....	
.....	Eighth street between E and F	Slight.	.....	
.....	.....	.....	.....	Nos. 1 and 2 engines broke down.
.....	.....	.....	.....	
.....	.....	.....	.....	False alarm.
.....	Fifteenth street between I and K, n. w.	$300	300	
.....	433 Sixth street, s. w	150	150	
.....	Pennsylvania avenue and Rock Creek.	150	150	
.....	.....	.....	.....	There were 11 local or still fires, for which no alarm was given this month.
.....	.....	.....	.....	Sun shining in the window of house No. 1530 Columbia st.
.....	Water and Washington sts., Georgetown.	.....	.....	
.....	Fourth street between E and F	Slight.	.....	
.....	Fourth-and-a-half street between C and D, s. w.	Slight.	.....	
.....	Bridge street near Potomac	$5,000	5,000	
.....	85 Lingan street	Slight	.....	
.....	Corner E and 10th streets.....	$500	500	
.....	C street near 4½	Slight	.....	
.....	.....	.....	.....	
.....	Seventh street between H and I, n. w..	$150	150	
.....	Ninth street, between D and E, s. w...	900	700	
.....	Massachusetts avenue between 4th and 5th streets.	.....	.....	
.....	.....	.....	.....	
.....	.....	.....	.....	Stable of J. C. Hall, county.
.....	.....	.....	.....	
.....	O street between 4th and 5th.....	7,500	7,500	
.....	.....do	.....	.....	Same fire rekindled.
.....	Alley between 3d and 4½ streets, s. w..	Slight.	.....	
.....	Louisiana avenue and 10th street, n. w.	$150	150	
.....	.....	.....	.....	
.....	Nineteenth street between E and F...	Slight	.....	
.....	118 Fifth street, s. e	Slight	.....	
.....	G and 1st streets, s. w	$200	200	Foreman of truck run over.
.....	.....	.....	.....	
.....	1618 Eleventh street, n. w	Slight.	.....	
.....	D street between 3d and 4½.....	Slight.	.....	
.....	.....	.....	.....	
.....	.....	.....	.....	
.....	Corner 5th and C streets, n. e.....	$600	600	
.....	L street between 1st and 2d, n. w.....	200	100	
.....	.....	.....	.....	
.....	.....	.....	.....	False alarm; struck 38.
.....	.....	.....	.....	
.....	.....	.....	.....	False alarm.

K 3.—*Record of*

No. of fire.	Date.	Hour.		Box.	Owner.	Style of building.	Cause.	How occupied.
	1877.	*a. m.*	*p. m.*					
4	Mar. 10	.....	10. 15	131	Mrs. Blake.....	Frame	Incendiary.....	Stable .....
5	Mar. 15	2. 10	.....	521	.....	.....	.....	.....
6	Mar. 16	10. 00	.....	415	Smith, Uhler & Co.	Frame	Drying-room	Planing-mill .....
7	Mar. 18	3. 30	.....	431	United States...	Brick	Furnace	Slaughter-house ..
8	Mar. 19	.....	9. 15	62	Jas. Williamson.	Frame	Incendiary.....	Stable .....
9	Mar. 20	.....	6. 30	132	Wm. Grupe.....	Brick	Stove	Confectionery ...,
10	Mar. 25	.....	5. 15	415	.....	.....	.....	.....
11	Mar. 27	.....	9. 55	213	Fred. Stutz	Frame	Stove	Dwelling .....
12	Mar. 28	.....	9. 15	23	.....	.....	.....	.....
13	Mar. 29	10. 30	.....	514	.....	.....	Chimney.....	.....
1	Apr. 1	.....	10. 17	521	Philip Gilhooley	Frame	Incendiary.....	Dwelling .....
2	Apr. 3	12. 30	.....	216	.....	...do	Defective flue....	....do .....
3	Apr. 6	.....	11. 30	315	.....	...do	....do	....do .....
4	Apr. 7	.....	6. 55	27	.....	Brick	....do	....do .....
5	Apr. 7	.....	8. 05	54	.....	.....	Chimney.....	.....
6	Apr. 7	.....	11. 30	27	.....	Frame	Coal-oil	Dwelling .....
7	Apr. 9	.....	8. 04	613	.....	.....	Chimney.....	.....
8	Apr. 15	4. 15	.....	32	S. Waggaman...	Brick	Cigar-stump	Drug store.....
9	Apr. 25	9. 10	.....	31	J. S. Brent	...do	Unknown.....	Dwelling .....
10	Apr. 28	.....	5. 40	38	.....	.....	Chimney.....	.....
1	May 3	3. 00	3. 31	17	.....	.....	.....	.....
2	May 3	.....	10. 30	35	.....	.....	.....	.....
3	May 4	3. 00	.....	214	J. Lomax	Frame	Coal-oil lamp.....	Dwelling .....
4	May 6	2. 05	.....	315	J. Bryan	...do	Incendiary	Stable .....
5	May 10	8. 55	.....	27	.....	.....	Tar-pot.....	.....
6	May 17	.....	7. 10	134	G. H. Plant	Brick	Unknown.....	Livery stable .....
7	May 18	.....	8. 35	721	.....	.....	.....	Coal-oil tank.....
8	May 24	7. 50	.....	142	.....	Brick	Matches	Dwelling .....
9	May 24	.....	8. 05	131	.....	.....	Chimney	....
10	May 29	.....	3. 00	62	.....	Frame	Matches	Shed .....
11	May 29	.....	11. 20	131	Mrs. Walbridge.	Brick	Incendiary	Dwelling .....
12	May 30	.....	2. 40	35	.....	.....	Chimney.....	.....
13	May 31	.....	5. 40	45	Mrs. Kemp	Frame	Stove-pipe	Dwelling .....
14	May 31	.....	9. 50	216	.....	.....	.....	.....
1	June 1	.....	6. 40	24	.....	Frame	Matches	Carpenter shed ...
2	June 9	5. 30	.....	47	M. Connor	...do	Incendiary	Grocery store.....
3	June 12	10. 15	.....	28	.....	.....	Leaky chimney...	.....
4	June 13	.....	.....	212	A. F. Richardson	Frame ...	Stove	Dwelling .....
5	June 13	.....	9. 15	24	Willett & Libbey	.....	Incendiary	Lumber yard .....
6	June 17	2. 50	.....	62	.....	Brick	Stove	Dwelling .....
7	June 18	10. 50	.....	12	A. Saks	...do	Defective flue.....	....do .....
8	June 18	.....	7. 20	135	J. T. Mitchell ...	.....	Matches	....do .....
9	June 20	.....	9. 18	315	United States...	.....	Unknown.....	Stable .....
10	June 25	11. 25	.....	523	G. Luchaus	Frame	Stove	Dwelling .....
1	July 1	8. 55	.....	12	.....	...do	Defective flue.....	....do .....
2	July 4	1. 50	.....	721	.....	3-story brick.	Unknown.....	Grist mill.....
3	July 4	9. 15	.....	125	.....	4-story brick.	Chimney.....	Store and dwelling
4	July 8	1. 10	.....	15	.....	2-story brick.	Incendiary	Second Baptist Church.
5	July 8	.....	9. 15	612	.....	2-story frame.	Coal-oil explosion.	Dwelling .....
6	July 11	10. 10	.....	132	.....	2-story brick.	Unknown.....	Stable .....
7	July 11	.....	9. 15	54	.....	2-story frame.	Coal-oil explosion.	Dwelling .....
8	July 13	10. 50	.....	71	.....	...do	....do	....do .....
9	July 13	11. 20	.....	612	.....	Frame	Incendiary	Store and dwelling
10	July 13	.....	7. 45	25	.....	...do	Coal-oil explosion	....do .....
11	July 16	3. 40	.....	52	.....	Fence....	Incendiary	.....

fires—Continued.

Occupant.	Location.	Damage.	Insurance.	Remarks.
Unoccupied....	Alley between 10th and 11th and E and F streets.	$50	.....	12 minutes after struck 128.
.....	.....	.....	.....	Fire in county, near Bennings; two men burned to death.
.....	Ninth street and Potomac River, s. w..	1,000	$1,000	
.....	Monument lot.....	600	.....	
.....	Alley between 1st and North Capitol sts	Slight.	.....	
.....	E street between 11th and 12th, n. w ..	.....	.....	William Grupe suffocated.
.....	.....	.....	.....	False alarm.
.....	Eleventh street between Q and R, n. w	Slight.	.....	
.....	.....	.....	.....	False alarm; gave box-key to Connor & Hoffman.
.....	Marine Barracks.....	.....	.....	
.....	E street between 12th and 13th, n. e ...	$800	600	
.....	F street between 18th and 19th, n. w ..	500	300	
.....	Twenty-third street between L and M.	300	.....	
.....	Corner 9th and O streets, n. w	Slight.	.....	
.....	.....	.....	.....	
.....	Corner 9th and O streets, n. w	$50	.....	
.....	.....	.....	.....	
.....	K street and Connecticut avenue, n. w.	1,000	300	Man jumped from second-story window; slightly injured.
.....	F street between 17th and 18th.....	50	50	
.....	.....	.....	.....	
.....	.....	.....	.....	General alarm; test by the District Commissioners.
.....	.....	.....	.....	False alarm by District Telegraph Company.
.....	Cedar street between S and T, n. w ...	300	300	
.....	Alley between 24th and 25th and I and K streets, n. w.	100	.....	
.....	.....	.....	.....	
J. B. Olcott.....	Alley between 13th and 14th and H and I streets.	1,500	1,500	
.....	.....	.....	.....	
.....	Ohio avenue between 14th and 15th sts.	Slight	.....	
.....	.....	.....	.....	Turned in by District Telegraph Company.
.....	First and Defrees streets	$50	.....	
.....	G street between 12th and 13th	350	350	
.....	.....	.....	.....	
.....	M street between 1st and 2d, s. w.....	300	.....	
.....	.....	.....	.....	Turned in for fire on the commons.
.....	Alley between N and O and 5th and 6th streets.	75	.....	
.....	Corner 4½ street and Virginia ave.....	75	.....	
.....	.....	.....	.....	
.....	Corner 11th and O streets.....	150	150	
.....	New York avenue and 6th street.....	10,000	8,400	Also, Mrs. Glascot, local; loss $400.
.....	New Jersey avenue and H street	100	.....	
.....	Second street near E.....	150	150	
.....	913 11th street, n. w	Slight	.....	
.....	Columbia Hospital.....	$1,000	.....	
.....	.....	500	.....	
George Smith..	68 C street, n. w	.....	.....	
M. Young.....	Water street, Georgetown	10,000	10,000	
C. Lederer.....	Corner 7th and H streets, n. w	Slight.	.....	
Congregation ..	Third street between H and I, n. w....	$1,200	1,200	On the 29th, Engine Company No. — pumped water from Republican office; Engine No. 4 broke pumps just after having been repaired. On the 23d, Engine No. 3 worked 47 consecutive hours pumping out sewer corner C st. and New Jersey avenue, n. w., by order of the District Commissioners; machinery badly damaged.
.....	Maryland avenue and 4th street, n. e..	Slight.	.....	
Jas. Cook	C street near 12th, n. w.....	$100	.....	
.....	111 L street, s. e	Slight	.....	
F. Burroughs ..	18 Montgomery street, Georgetown ...	$50	.....	
L. Newrath	Corner 4th street and Maryland avenue, n. e.	800	800	
.....	1212 7th street, n. w	Slight.	.....	
.....	318 Pennsylvania avenue, s. e	Slight.	.....	

K 3.—*Record of*

No. of fire.	Date.	Hour.		Box.	Owner.	Style of building.	Cause.	How occupied.
	1877.	*a. m.*	*p. m.*					
12	July 18	1.25	.....	127	.....	4-story brick.	Incendiary	Dwelling .....
13	July 22	3.05	.....	43	.....	2-story frame.	....do	....do .....
14	July 24	12.40	.....	23	.....	...do	....do	Stable .....
15	July 27	.....	2.45	24	.....	.....	Chimney	.....
1	Aug. 1	.....	5.15	46	.....	.....	.....	.....
2	Aug. 4	.....	10.45	24	.....	.....	.....	.....
3	Aug. 7	.....	10.20	32	.....	3-story brick.	Gas-jet	Store and dwelling
4	Aug. 10	7.05	.....	136	.....	4-story brick.	Electricity.....	Telegraph-office ..
5	Aug. 20	12.15	.....	521	.....	Frame	Incendiary	Stable .....
6	Aug. 25	12.45	.....	32	.....	2-story frame.	....do	Dwelling .....
7	Aug. 25	.....	1.15	23	.....	2-story brick.	Matches	....do .....
8	Aug. 27	12.30	.....	72	.....	2-story frame.	Incendiary	....do .....
9	Aug. 28	.....	4.00	312	.....	3-story frame.	Matches	Store and dwelling
1	Sept. 3	11.35	.....	42	.....	Brick	Carelessness	Dwelling .....
2	Sept. 3	.....	4.10	52	.....	...do	Incendiary	Four stables .....
3	Sept. 4	12.15	.....	134	.....	Frame	....do	Stable .....
4	Sept. 9	12.04	.....	213	.....	...do	Carelessness	Dwelling .....
5	Sept. 9	.....	5.45	512	.....	...do	Incendiary	Stables .....
6	Sept. 13	.....	11.26	54	.....	...do	Spontaneous combustion.	Junk-shop .....
7	Sept. 15	.....	11.10	125	.....	3-story brick.	Incendiary 1	Dwelling .....
8	Sept. 17	.....	10.55	125	.....	...do	Gas-jet	Hotel .....
9	Sept. 19	.....	3.18	72	.....	2-story frame.	Chimney.....	Dwelling .....
10	Sept. 21	.....	4.20	12	.....	Brick	Spontaneous combustion.	Warehouse .....
11	Sept. 23	4.15	.....	731	.....	Frame	Incendiary	Tar-sheds.....
12	Sept. 23	.....	1.10	13	.....	...do	Chimney.....	Dwelling .....
13	Sept. 24	11.30	.....	131	.....	.....	.....	Patent office .....
14	Sept. 24	.....	2.15	.....	.....	Brick	Unknown.....	Stable .....
15	Sept. 26	2.10	.....	712	.....	...do	Incendiary	Dwelling .....
16	Sept. 26	.....	10.55	37	.....	Frame	....do	....do .....
17	Sept. 27	1.15	.....	23	.....	...do	Wet hay.....	Stable .....
18	Sept. 27	2.12	.....	721	.....	...do	Unknown.....	Cooper-shop .....
1	Oct. 1	.....	8.20	127	.....	...do	Incendiary	Dwelling .....
2	Oct. 2	.....	1.10	712	.....	Brick	....do	....do .....
3	Oct. 3	.....	8.20	132	.....	...do	Coal-oil	....do .....
4	Oct. 6	.....	11.30	315	.....	Frame	Incendiary	Carpenter-shop ...
5	Oct. 10	5.05	.....	315	.....	...do	....do	.....
6	Oct. 12	12.30	.....	521	.....	.....	.....	.....
7	Oct. 14	.....	4.45	52	.....	Brick	Incendiary	Stable .....
8	Oct. 16	10.20	.....	613	.....	Frame	Stove-pipe	....do .....
9	Oct. 20	11.05	.....	64	.....	.....	.....	.....
10	Oct. 22	.....	12.50	145	.....	Frame	Incendiary	Dwelling .....
11	Oct. 23	.....	7.35	217	.....	...do	Coal-oil	....do .....
12	Oct. 23	.....	11.30	315	.....	...do	Unknown.....	Stone-yard .....
13	Oct. 24	.....	5.10	17	.....	Brick	Chimney.....	.....
14	Oct. 27	.....	3.10	131	.....	...do	....do	.....
15	Oct. 31	.....	11.15	131	.....	...do	Coal-oil	District telegraph office.

fires—Continued.

Occupant.	Location.	Damage.	Insurance.	Remarks.
B. Beall	Ninth street, between H and I	$800	$800	
J. Bland	Delaware avenue and 3d street, s. w	100		
T. Handraham	Rear of 123 L street, n. w	100		
				False alarm from the Arsenal.
				Fire in county, near Seventh-street road.
Mrs. Burnett	Corner 17th and K streets, n. w	100		
Western Union Telegraph Company.	Corner 14th street and Pennsylvania avenue.	Slight		
E. Clark	Maryland avenue and 12th street, n. e	$300	300	
H. Grinnell	L street between 16th and 17th, n. w	150		
B. Roth	L street between 4th and 5th	100		
Mrs. Moxley	94 Greene street, Georgetown	Slight		
	H street between 22d and 23d	Slight		
Matt. Fenton	499 C street, s. w	$25	25	
General Ewing and A. Grant.	221, 223, 225, and 227 East Capitol street	1,200	1,000	
Frank Barrett	1301 H street, n. w	Slight		
H. Jackson	1637 11th street, n. w	Slight		
—— Clark	119 6th street, n. e	$300	300	
R. Brown	I street near New Jersey avenue, s. e	150	150	J. O'Leary thrown from seat of No. 3 engine; severely injured.
K. Barker	826 9th street, n. w	100	100	
Gheen's	Corner 7th and I streets, n. w	Slight		
	Georgetown	Slight		
Galt & Co	Indiana avenue and 2d street, n. w	$4,600	4,600	
Evans & Co	Twenty-second and K streets, n. w	1,500	1,500	
	Purdy's court	Slight		
Gheen & Osborn	G street near 7th	$29,750	17,200	Total loss, Patent-Office fire not included, $37,950; insurance, $27,200.
	Corner 2d and Frederick sts., Georgetown.	Sl'ght		
W. H. Johnson	1210 20th street, n. w	$75	75	
D. Grady	Rear 106 Pierce street	100	100	
I. W. Ridgeway	High street, Georgetown	150	150	
J. Mankin	88 9th street, n. w	50	50	
J. G. Libbey	Georgetown	Slight		
	1311 C street, n. w	Slight		
Gas Company	New Hampshire avenue and G st, n. w	$600	600	
Mr. Reid	2207 L street, n. w	150		
				Fire in the county, (barn.)
A. Grant	Rear 201 East Capitol street	300		
M. Alig	Sixth street near H, n. e	300	300	
				Test alarm, Deaf and Dumb Asylum.
J. Smith	Wormley's alley, n. w	300		
	1820 Cedar street	Slight		
—— Bradley	Twenty-third st. and Pennsylvania ave	Slight		
	National Hotel			
	Eleventh and G streets, n. w			
	Tenth and F streets, n. w			

K 4.

OFFICE OF FIRE-ALARM TELEGRAPH,
486 *Louisiana Avenue, Washington, D. C., November* 5, 1877.

To the honorable the Commissioners of the District of Columbia:

In compliance with your request of the 24th ultimo, I have the honor to report the following detailed statement of the transactions and expenditure of the fire-alarm telegraph since the date of my last annual report, and, at your suggestion, make such recommendations for increasing the efficiency of this branch of the fire department as experience teaches the necessity of adopting; also an estimate of the amount required for its support for the fiscal year ending June 30, 1879.

The expenses of the office for the twelve months covered by this report, to wit, from November 1, 1876, to October 31, 1877, both days inclusive, have been:

Salary of superintendent	$1,500 00
Salary of two operators, at $1,200 each	2,400 00
Battery chemicals	1,056 45
New battery	116 83
Repairs of telegraph-lines	136 85
Office-rent	360 00
Gas-light	151 25
Fuel	23 47
Ice	9 80
Washing	24 00
Blacksmithing	33 75
New telegraph instrument	150 00
Incidental contingencies	67 25
Total	6,029 65

It will be seen by comparing the above figures with the estimates heretofore submitted by this office for its annual support, that we have not expended, by many hundreds of dollars, the total sum asked for. This gratifying result has been achieved, in part, by a radical change which I made about a year ago in the form of the copper-plate used in the construction of the batteries, by which a very large percentage is saved in the consumption of the chemicals used for battery purposes, and at the same time secure a better battery. Battery chemicals, under the competitive system of letting contracts for supplies, have been obtained at lower prices than we formerly paid for such articles. The very small sum expended for repairs of the telegraph-lines is due mainly to the fact that both the superintendent and operators have, with their own hands, done much of the work of repairing lines, which has usually been done by other parties, and paid for out of the funds provided for such purpose; but, owing to the fact that we are without a repairman, and the difficulty we often encounter in finding a competent person at the moment help is needed to mend a broken wire, the officers referred to have felt obliged to perform double duty (reference to which will be made further on in this report). From the 1st day of November, 1876, to the 31st day of October, 1877, both days inclusive, there were transmitted over the wires of the fire-alarm telegraph, 163 alarms of fire, as follows: November, 11; December, 21; January, 14; February, 13; March, 14; April, 10; May, 14; June, 10; July, 15; August, 9; September, 17; October, 15; total, 163; being an excess of three over the corresponding period of last year.

There are 87 stations from whence alarms of fire may be transmitted by telegraph; from 23 of these one alarm each has been given, to wit, boxes 124, 126, 135, 136, 142, 25, 28, 214, 215, 36, 312, 46, 47, 413, 423,

431, 56, 512, 514, 523, 61, 64, 73; from 19 stations two alarms each have been sent, to wit, boxes 13, 14, 15, 19, 123, 127, 128, 134, 145, 216, 217, 31, 37, 38, 41, 43, 45, 415, 72; from 11 stations three alarms each have been sent, to wit, boxes 12, 17, 212, 32, 35, 52, 62, 613, 71, 721, 731; from five stations, four alarms each were transmitted, to wit, boxes 27, 42, 54, 521, 612; from three stations five alarms each were given, to wit, boxes 125, 213, 712; from one station, box 23, six alarms were given, and from four stations seven alarms each were sounded, to wit, boxes 131, 132, 24, 315; from 21 stations no alarms have been sounded during the year, to wit, boxes 16, 18, 121, 129, 137, 141, 143, 26, 34, 314, 324, 325, 412, 421, 51, 53, 513, 527, 528, 63, 621.

During the same period of time, in addition to the 163 alarms above mentioned, seven *general* and four *special* alarms were also sounded for the purpose of calling out the necessary reserve forces of the fire department to subdue the fires in progress.

During the past year there have been purchased and placed in circuit at the several engine-houses, and at the central office, on what we denominate the *talking circuits*, twelve new and improved instruments, through which the firemen of the several companies report to the fire-alarm office regularly three times each day, and as much oftener as occasion requires, the condition of the alarm instruments at each house. These instruments are of great service for this purpose, and have given entire satisfaction in operation. Our present automatic system of fire-telegraph, known as the "Gamewell system," has been in operation since the 29th day of September, 1875, and during this period having transmitted some three hundred and fifty alarms without a single failure, may be regarded as *strictly reliable;* indeed, I have no hesitancy in saying that there is nowhere to be found a more reliable fire-alarm telegraph than we now have in this city.

To defray the expenses of this department for the fiscal year ending June 30, 1879, upon the basis of the present force, and as the lines now run, it will be necessary to provide—

Salary for one superintendent	$1,500
Salary for two operators, at $1,200 each	2,400
Battery chemicals	1,400
Repairs	700
Office-rent	360
Gas-light	175
Fuel	50
Ice	20
Washing	30
Blacksmithing	40
New office furniture	100
Contingent expenses	125
Total	6,900

To promote the efficiency of the fire-telegraph, as such, the only thing necessary is to extend it so as to cover the entire populated portions of the two cities which come within the fire limits, and so multiply the signal-boxes as to afford such protection as every community ought to have against fire.

The recent fire in the United States Patent Office demonstrates the necessity for better facilities for giving prompt alarms, in case of fire, than most of the public buildings now have. Every important public building in the city ought to have within it, or near by at least, a fire-alarm box. "An ounce of prevention is worth a pound of cure."

To promote the efficiency of the working force of the telegraphic

service, I renew the urgent recommendation in my annual report of last year, for the appointment of one additional operator and one repairman. Two operators are required in keeping the office open continually, day and night, to work twelve hours each daily every day in the year; this, I submit, is more labor than ought to be required of any man; and in addition, owing to the fact that the office is not supplied with a man for repairs, it frequently occurs that I am forced to require the operator not on duty in the office at the time to go out with me to mend broken wires and make repairs of various kinds. So that, as a matter of fact, these men are often working fifteen or sixteen hours per day.

There is not another fire-telegraph office in the United States where less than three operators are employed, while many of them have four. This is the only telegraph office of any kind, in any place, that does not keep one or more men specially for repairing.

It will be seen at a glance that, to keep all the lines of the fire-alarm telegraph (over 100 miles in length) in such condition as to be at all times in readiness for use, running over the house-tops, as most of ours do, must require unceasing diligence and constant care and attention; and hence the necessity for employing a competent man for such service, whose entire time should be spent in watching for and repairing promptly the small defects as soon as they can be discovered.

I trust that speedy measures may be adopted for giving to this important branch of the public service the additional help so much needed. Should these additional employés be provided for this service, the further estimate of $2,100 should be added to my estimates above for the ensuing year; $1,200 for the operator, and $900 for the repairman, making a total estimate of $9,000 for the year.

In conclusion I desire to acknowledge the valuable and efficient services rendered by the operators, Messrs. Richards and Noyes, each of whom have my warmest thanks for their uniform kindness, as well as for their untiring faithfulness in the discharge of their onerous duties.

I have the honor to be, gentlemen, your obedient servant,

HENRY R. MILES,
Superintendent Fire-Alarm Telegraph.

OFFICE FIRE-ALARM TELEGRAPH,
No. 486 Louisiana avenue, Washington, D. C., November 7, 1877.

To the honorable the Board of Fire Commissioners
of the District of Columbia:

I have the honor to present herewith my annual report to the District Commissioners by their direction, and respectfully request that you forward the same to the honorable Commissioners to whom it is addressed.

I also desire to solicit your indorsement of the recommendations contained in my report for additional help, as well as the other recommendations therein contained.

I have the honor to be, gentlemen, your obedient servant,

HENRY R. MILES,
Superintendent Fire-Alarm Telegraph.

L.—ATTORNEY'S REPORT.

OFFICE OF THE ATTORNEY FOR THE DISTRICT OF COLUMBIA,
Washington, October 31, 1877.

To the United States Commissioners of the District of Columbia:

In compliance with your request I submit the following report of transactions in this department of the District government since the date of the last annual report, with suggestions of such acts of legislation as appear to me necessary to the welfare of the District.

The number of questions of law arising in the administration of District affairs during the past eleven months has been very great. This is unavoidable in a District governed by the most mixed system of law known in the United States. There are three distinct systems of municipal law, modified by the acts of the late legislative assembly and by numerous acts of Congress, which, in their turn, are modified by the revised statutes of the District. The Revised Statutes of the United States are in force when not locally inapplicable; and the laws of Maryland prior to 1801, the common law as adopted in that State, and such British statutes as were recognized there in the eighteenth century are all existing laws for the government of the District of Columbia. The numerous questions arising have been promptly disposed of in written opinions. These have been generally accepted by the parties interested. The number of suits brought against the District has not been so great as in any preceding eleven months during three years past. The pending suits, however, have involved no little labor in preparation and trial.

Some important principles of law have been settled by the courts.

In the case of the Ballard Pavement Company *vs.* The District, decided in general term, it was held in effect that no person claiming under a contract with the board of public works can recover from the District unless his contract was in writing and signed by the parties thereto, as provided by the organic act of 1871. This decision put an end to the indefinite claims for damages made under "awards," and other unperfected agreements for street improvements made by the late board of public works.

By the decisions in the cases of The Pothier & Stymus Manufacturing Company *vs.* The District, garnishee, and Brown *vs.* Finley, The District, garnishee, the exemption of the District from the garnishee process to reach its indebtedness to contractors has been definitely established. The cases were urged by able counsel against the District, and the grounds of the exemption received a full and thorough examination. The decisions relieve the District from a great amount of litigation in which it had no direct interest, and which was of a peculiarly harassing character, the suits being numerous, frequently for disputed amounts, and the amount due by the District to the contractor being often unascertained by measurement and dependent upon the amount of future repairs. The exemption of the District, on grounds of public policy, from levy of executions on property devoted to public uses, and also from garnishment recently established for the first time in the legal history of the District, will greatly lessen the business of this office.

In the case of Campbell *vs.* The District, the doctrine that an agent created by statute of the municipal government, cannot bind his principal by an act transcending his statutory powers was insisted upon in behalf of defendant. The case went off in the general term upon minor points, and, although nominally still pending in the court, has been dropped from the calendar.

The suit of Murtagh *vs.* The District, for nearly $50,000 for printing

the delinquent tax-list, was defeated after a warm contest. Although appealed to the general term, it is practically disposed of.

Samuel Strong's suits against the District for about $270,000 and interest, are still pending. Evidence covering over a thousand pages, including many tables, maps, diagrams, and other exhibits, has been taken before the special auditor. The case should be fully argued before the auditor and a careful and exhaustive brief made. The case involves more varied and important questions of municipal law than any other in which the District is interested. Able counsel appear for the plaintiff. I commend the case to your particular attention. In my opinion, the claim has no merit whatever, and should be strenuously resisted. Mr. Strong was not only paid but overpaid for his work. A part of it, for which he was paid over $91,000, was done on private houses; it was work which the board of public work shad no right to do at the expense of the tax-payers of the District; and this was well known to the plaintiff.

Several suits against the District for damages from falling into excavations have been tried. For the amount of damages paid by the District in the Barnes case, decided in the United States Supreme Court, I considered the Baltimore and Potomac Railroad Company, which had made the excavation into which plaintiff fell, as liable over to the District, and I promptly brought suit against that corporation. The case has not been reached for trial. In the case of Young *vs.* The District, the plaintiff recovered a heavy verdict before the jury, but was defeated on law points before the general term. In the similar case of Frazier *vs.* The District, two trials have been had. In the first, the plaintiff asked to withdraw a juror and have leave to amend. In the second, the jury disagreed on the plea of the statute of limitations. The similar cases of Dant and Maxwell are still pending in the general term on law points.

On no sound principle, as it appears to me, can the tax-payers of this District be held liable to pay for damages received from falling into excavations since the people of the District ceased to have any control over the local government. Responsibility for these damages cannot be separated from the power to make repairs of the streets. Since June 20, 1874, the population of this District has no more power to make repairs of the streets in Washington and Georgetown than it has of those in New York City. In the adjudged cases the power to provide against accidents has been held to be a necessary antecedent to the responsibility of a municipal corporation for them. As the power is now exercised exclusively by the United States and its agents, the responsibility should follow it.

The vast extent of the streets and avenues of Washington and Georgetown gives to this subject great importance.

The case of Schneider *vs.* The District brought up the question whether the District is responsible for remote or consequential damages caused to private property by the grading of streets. I prepared an elaborate brief in the negative, but owing to the absence of plaintiff's counsel, the hearing has not been had at the present session of the general term. It is very desirable that no legislation shall be had by Congress on this class of claims. Their aggregate is enormous. Nine-tenths of them are outlawed, and the courts of the District and of the United States have uniformly held them illegal. In Welsh *vs.* The District, an equity case, the claim is made that by virt ue of a contract with the United States and the city of Georgetown, the proprietors of a large number of lots in that city are forever free from taxes for the use

of the aqueduct water. A full answer was filed on the part of the District. The court, on argument, refused the injunction *pendente lite*, and there can be no doubt that the courts will sustain the statute extending over Georgetown the water-tax ordinances of Washington. Practically they are enforced.

After recovering possession by litigation of the Seventeenth street wharf, which had been long unlawfully occupied, I brought suit for its rent value while so occupied, and recovered judgment. Water street, between Long Bridge and the Arsenal, has gradually been cleared of many of the obstructions which formerly nearly closed its passage. This has been effected by enforcing the ordinances. Many obstructions, however, still remain. Parties without right have built houses and offices of different kinds on the south side of Water street. They have also, under different pretexts and claims, but without license, built wharves into the river, many of which are wholly or partly within the limits dedicated by law to the public docks. No small portion of this important water-front of Washington, bordered by a public street, and dedicated on the plan of 1792 to commercial purposes, has been appropriated by private parties to their own uses. In 1869 one Kidwell obtained from the Secretary of the Interior a patent for forty-nine acres and a fractional part of an acre of the flats lying north of Long Bridge. I respectfully suggest the propriety of recommending to the Congressional committees on the District legislation to authorize legal proceedings in behalf of the United States to annul the Kidwell patent; also to obtain possession of such portions of the Water-street front on the Potomac as have been unlawfully taken by individuals. I regard the right of the United States to the water-front of that street as indefeasible. No decision has been reached in the pending cases in which the rights of the United States to the Water-street front are incidentally involved.

A large number of suits were begun in 1876 by the District to recover from contractors the amount expended for repairs on defective street improvements. The cases will probably be reached on the calendar during the present term.

The legal value of a board of audit certificate has been discussed in a number of cases in the circuit court. The better opinion appears to be that such a certificate cannot be sued upon, but that the holder must rely upon the original claim upon which the certificate was issued. No judgment has ever been recovered upon such a certificate. Where the original claim is a meritorious one, its payment ought to be provided for. Some holders of board of audit certificates refused to convert them into 3.65 bonds when they might have done so, and they now hold paper absolutely worthless as evidence of indebtedness on the part of the District. If they hold the original claims for work done and materials furnished they can enforce them at law, unless barred by the statute of limitations.

The national banks located in this District deny their liability to pay either the license-fee on their occupation or the tax assessed upon their capital stock under the personal-tax law. In their first position they have been sustained by the judge sitting in criminal term, from whose decision there is no appeal in such a case. To test the second, two cases upon an agreed statement of facts have been prepared by counsel, and will be submitted to the courts for their decision. I have taken and filed with the District treasurer a good bond from each of the five banks, conditioned to pay the tax if the decision of the courts should be against

them. A plain provision in the tax-law would prevent litigation with the national banks in regard to their liability.

The question whether the delinquent tax list could legally be published in a Sunday newspaper, being the lowest bidder, received very careful consideration before the time named by the statute for the publication. An opinion in the negative, which I was constrained to give by the state of the law on the subject in force in this District, caused dissatisfaction and gave rise to much discussion; but it has since been generally accepted as sound.

In my report for 1876 I called attention to the numerous suits brought in equity against the District to contest assessments for street improvements, and I suggested that the whole subject needed readjustment on equitable principles. A number of suits have been brought since that time raising new questions on these laws, and I respectfully renew the suggestion. The subject imperatively demands the attention of Congress. A simple system of undoubted legality should be substituted to the present intricate one, which is contested at every point. It would be impracticable, within the limits assigned to this report, to explain fully the difficulties under the existing legislation on this subject. A faint idea may be had of them from a short statement of the different classes of assessments, the first five having been made by the old corporation of Washington, or under authority of its ordinances; the rest under the board of public works.*

The classes are as follows:

1. Assessments of entire cost of an improvement upon adjoining property by a corporation or ordinance; work done and apportionment made before February 21, 1871.

2. Assessments under corporation ordinance for paving "avenues," the word *streets* having been used in the law authorizing assessments and the word "avenues" omitted.

3. Assessments under corporation ordinance, work finished before March 16, 1871, but apportionment made after that time by District surveyor.

4. Assessments under corporation ordinances; work begun under corporation authorities and finished after March 16, 1871, under supervision of the board of public works; apportionment by surveyor before December 19, 1871, of entire cost.

5. Assessments under corporation ordinances; work begun after March 16, 1871, under supervision of board of public works; apportionment made by surveyor before December 19, 1871.

Some of these two last classes were made under written contract and some without.

In all of the five classes paving-stock certificates were issued to the contractor. These were secured by ordinance upon the fund to arise from the collection of the assessments. In the first and second classes, these were signed and issued by the mayor; in the remaining classes, by the governor, who seems to have acted in this matter as successor to the mayor. The act of December 19, 1871, provided, in effect, that the apportionments thereafter to be made against private property should be of a sum not exceeding one-third of the cost of the improvement. This was, doubtless, intended to apply to all improvements, including those made

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* The organic act was approved February 21, 1871, but the government of the District of Columbia did not go into operation until June 1, 1871. The board of public works, however, went into active operation March 16, 1871, and took charge and supervision of work under existing contracts.

under corporation ordinances, which had assessed the entire cost upon private property.

Under the board of public works there were differences in assessments as follows:

1. For M and a few other streets, where Congress had, by special statute, ordered improvements.

2. For improvements authorized by comprehensive plan of July 10, 1871, and executed in accordance with it.

3. For improvements on streets mentioned in said plan but which improvements varied in kind from those authorized.

4. For improvements mentioned in said plan but greatly exceeding in cost the authorized expenditure.

5. For improvements authorized by special act of the legislative assembly.

6. For improvements not authorized by any law, but finished by the board of public works before June 20, 1874.

7. Where assessments and apportionments were made before the improvements were completed.

8. Where the amount assessed upon private property was increased by improper and excessive charges.

9. Where the amount assessed upon private property was increased by including therein expenses which should have been borne by horse-car companies or by the general fund. The amounts which the churches were exempted from paying were, in many instances, assessed upon private property.

10. Where the improvements did not benefit the property assessed.

11. Where the property did not adjoin the improvement.

12. Assessments made before the improvement was completed.

13. Assessments collectible in four annual installments, made for wooden pavements which rotted away before the expiration of that time.

14. Assessments collectible in four annual installments, made for pavements which were torn up by the board of public works before the last installments became due, and a new pavement laid, for which a new assessment was made.

Under the Commissioners, there are two classes of improvements:

1. Those authorized by the act of June 20, 1874, to be completed.

2. Those made under compromise with contractors with whom burdensome contracts had been made under former authorities, for unnecessary work, or for pavements of a kind found by experience not to be durable.

This statement makes it evident that varied and protracted litigation of uncertain result must exist until curative legislation is had for the past and an equitable system adopted for the future.

On all, or nearly all, the assessments by the former corporation paving-stock certificates were issued which are secured upon the fund of assessments collected. On most of the assessments by the board of public works lien-certificates were issued. These are made, by law, liens upon the property, and, after the lapse of a certain time, the certificate-holder is entitled to demand that the District authorities shall proceed to sell the property and satisfy the lien. Between these two classes of certificate-holders the District is a trustee. I have steadily maintained this position for it in all the suits.

By an act passed May 29, 1873 (chapter 1, third legislative assembly), the issue of certificates not more than two millions in face-value was authorized. These were to be used in paying for improvements. To pay these certificates (known as "8-per cent. greenbacks"), all assess-

ments made subsequent to the date of the act were pledged; these assessments were to be deposited with the sinking-fund commissioners, who were to hold them for the payment of the principal and interest of the greenbacks. As more than $800,000 of these greenbacks are now in circulation in the market, the fund pledged for their payment should be ascertained and guarded by law.

Two cases, each involving a part of the laws relating to assessments, are now pending in the Supreme Court of the United States, having been argued and submitted in the court below by my predecessor in office. They are the cases of Alexander *vs.* The District, &c., and Shoemaker *vs.* The District. It is probable that they will be argued at the present term. But a decision upon them, whether in favor of the District or not, cannot dispose of numerous embarrassing questions; and it certainly cannot establish what is needed, a simple system for future administration.

A leading feature of such a system should be that no assessment shall be made for any improvement for which two-thirds of the owners of property adjoining it shall not have petitioned in writing.

The imperfect character of the provisions of the act for repaving Pennsylvania avenue occasioned some difficulty in administering it. Two suits in equity were begun and are now pending: one by Columbus Alexander, to test the right of Congress to pass the act; the other by the Washington and Georgetown Railroad Company, which questions the correctness of the amount apportioned to it.

The police-court cases have been efficiently attended to by R. J. Murray, esq. I append his report covering the eleven months and a half beginning November 15, 1876. In that time, 4,537 cases have been docketed and 3,825 convictions procured.

One hundred and forty-seven appeals have been taken to the supreme court. These are triable at the criminal term. So great is the pressure of criminal cases upon the term that great difficulty and delay have been experienced in getting a hearing for municipal cases. This delay loses many causes to the District; witnesses go away or are tampered with; and the number of appeals is greatly increased. If Saturday of each week were set aside by the court for municipal cases, the appeals could easily be disposed of as they arise. The assistant attorney has, however, succeeded in getting a comparatively clean docket.

In answer to your request that I shall suggest amendments required in the laws governing the District, I respectfully refer to my official reports of 1874, 1875, and 1876, and renew the suggestions therein made. A few required amendments have been constantly suggested by my experience in municipal matters, and may be briefly stated:

1 The municipal laws should be consolidated, revised, and codified.

2. The general laws and revised statutes should be codified.

3. The building regulations should be enacted into law.

4. The tax-laws should be revised and consolidated into one.

5. The laws taxing occupations should be revised. The license-tax on liquor-dealers of all grades should be largely increased, and that on hucksters and fishmongers should be diminished. By decision of the court, butchers pay no license-tax. The police should have power vested in it to verify by examination of premises sworn charges of unlicensed liquor-selling.

6. A practical remedy should be provided by law for the prompt abatement of nuisances.

7. The evil of allowing cattle to be driven through the streets, or to run unguarded through the suburbs, should be forbidden by law.

8. The landlord and tenant act should be revised, with a view to the better protection of landlords against irresponsible tenants.

9. A law should he passed defining how land in the county may be condemned for road purposes.

10. An equitable system of assessments for street improvements should be adopted.

11. The system of managing the public wharves should be defined.

12. Some period should be fixed within which criminal and civil cases should be brought to trial or dismissed.

13. The District should be relieved from depositing costs in advance and from giving bonds on appeals or writs of error or *certiorari*.

Respectfully submitted.

WILLIAM BIRNEY,
Attorney of the District of Columbia.

L 1.

REPORT OF ROBERT J. MURRAY, ESQ., SPECIAL ASSISTANT ATTORNEY IN CHARGE OF POLICE-COURT CASES.

WASHINGTON, D. C., *October* 31, 1877.

DEAR SIR: I send herewith a full report of cases tried in police court from November 15, 1876, to October 31, 1877, inclusive.

Number of cases tried	4,537
Convictions	3,825
Acquittals	149
Dismissals	495
Suspended	68
Appealed to District supreme court	147
Fines imposed	$24,382 00
Collateral forfeited	5,301 98

The above cases were distributed as follows among the different classes of offenses:

Bathing in Rock Creek	18
Bathing in the Potomac River	5
Biting-dogs	56
Buying from minors	1
Concealed weapons	117
Contempt	48
Cruelty to animals	9
Defacing private property	46
Defacing public property	11
Disorderly in county	89
Disorderly in Georgetown	150
Disorderly in Washington	1,348
Disturbing religious assembly	27
Driving fast over bridge	1
Driving on sidewalk	14
Driving through funeral	7
Driving through procession	2
Enticing prostitution in county	3
Enticing prostitution in Washington	9
Fast driving in county	7
Fast driving in Washington	19
Fighting dogs in street	1
Firing gun near house	1
Firing pistols in street	10
Flying kites in street	2
Gambling in Georgetown	1
Gambling in Washington	8
Giving false alarm of fire	1
Indecent exposure, Georgetown	1

Indecent exposure, Washington	68
Injuring trees	7
Making fire in street	1
Nuisances	3
Obstructing alley	1
Obstructing fire apparatus	1
Obstructing gutter	1
Obstructing sidewalk, Georgetown	2
Obstructing sidewalk, Washington	34
Obstructing street	5
Open after hours	10
Opening barber-shop on Sunday	2
Opening sewer without permit	1
Open on Sunday, Georgetown	3
Open on Sunday, Washington	64
Profane	805
Professional thieves	17
Refusing to assist Metropolitan police-officer	4
Removing gravel from reservation without permit	2
Removing pavement	2
Rubbish in alley	1
Rubbish on lot	10
Rubbish in street	18
Selling light-weight bread, Georgetown	5
Selling light-weight bread, Washington	10
Selling liquor to inmates of Soldier's Home	1
Selling liquor to minors	1
Throwing stones	145
Trespass on parks	146
Tieing horse to tree-box	6
Unguarded excavations	1
Unlawful excavations	14
Unlawful measures	10
Unlawful scales	1
Unlicensed apothecaries	4
Unlicensed auctioneers	4
Unlicensed balls	2
Unlicensed banks	6
Unlicensed bars	125
Unlicensed billiards	1
Unlicensed book-agents	3
Unlicensed brewery	1
Unlicensed brokers	2
Unlicensed cars	1
Unlicensed cattle-brokers	1
Unlicensed claim-agents	3
Unlicensed commercial-agents	16
Unlicensed commission-merchants	6
Unlicensed eating-saloons	7
Unlicensed hacks	7
Unlicensed hotels	5
Unlicensed insurance-agents	7
Unlicensed insurance-companies	1
Unlicensed junk-dealers	3
Unlicensed liquor-dealers	3
Unlicensed livery-stables	8
Unlicensed omnibuses	1
Unlicensed peddlers	10
Unlicensed photographers	2
Unlicensed produce-dealers	43
Unlicensed vehicles	1
Unlicensed wholesale liquor-dealers	1
Unsealed measures	2
Vagrants	659
Violating auction law	3
Violating cart law	7
Violating game law	1
Violating hack law	60
Violating huckster law	1
Violating market law (Georgetown)	3
Violating market-regulations	14

Violating snow law	91
Wasting Potomac water	5
Watering horses at drinking-fountain	2

On May 21, 1877, I commenced a record of the age and color of prisoners. The following table will show the result of that record up to and including October 31, 1877:

ADULTS.

White, male	779
female	173
Colored, male	420
female	176
Total	1,548

MINORS.

White male	193
" female	17
Colored, male	301
female	123
Total	634

Total number of whites	1,162
Total number of colored	1,020
Total number of males	1,693
Total number of females	489

Hoping you may find this satisfactory,
I am, very respectfully, yours, &c.,

ROBT. J. MURRAY.

WM. BIRNEY, Esq.

M.—REPORT OF THE CORONER.

CORONER'S OFFICE, DISTRICT OF COLUMBIA,
Washington, D. C., November 6, 1877.

GENTLEMEN: In compliance with your request of the 24th ultimo, I have the honor to submit a detailed statement of the transactions of this office for the year ending October 31, 1877.

It will be seen that the number of infanticides and deaths from neglect of unknown infants has greatly increased. In my last communication I called the attention of your honorable body to this subject, and suggested a remedy to prevent such wholesale slaughter. I still believe that many of these unnatural mothers can be apprehended and brought to justice by the offer of a reward to those furnishing evidence of guilt. For this purpose I recommend that a contingent fund be appropriated, to be expended either by the chief of police or the coroner, as in your wisdom may seem best.

I also earnestly renew my recommendation for a morgue, or some suitable place to which persons found dead could be removed to await identification, and where examinations could be made and inquests held in cases of suspicion of foul play.

The following sums for the expenses of this office will be needed during the ensuing year:

Salary of coroner	$1,800
Book for recording inquests, stationery, blanks, &c	200
Total	2,000

I have the honor to be, respectfully, your obedient servant,

D. C. PATTERSON, M. D., *Coroner.*

Hon. BOARD OF COMMISSIONERS DISTRICT OF COLUMBIA.

M 1.

Tabular statement of deaths certified by the coroner, during the year ending October 31, 1877.

Willful violence.				Accidents and negligence.														Diseases.																									
Suicide.		Homicide.																																									
By gunshot wound.	By irritant poison.	By instruments, &c.	Infanticides, neglect at birth, &c.	Burns.	Crushed by falling embankment	Drowned.	Gunshot wounds.	Impaled on iron fence.	Killed by lightning.	Kicked by a mule.	Overlaid by mother.	Poison corrosive.	Poison irritant.	Poison narcotic.	Run over by railroad cars, &c.	Suffocation by smoke.	Unknown infants, still-births, &c.	Apoplexy.	Cancer of stomach.	Cholera infantum.	Colic.	Congestion of brain.	Congestion of lungs.	Consumption.	Convulsions.	Diphtheria.	Dissolute habits.	Dropsy of heart.	Epilepsy.	Exposure.	Heart disease.	Inanition.	Pericarditis.	Puerperal peritonitis.	Rupture of heart.	Senile debility.	Tabes mesenterica.	Trismus nasentium.	Uterine haemorrhage.
4	2	6	17	4	1	18	3	1	1	1	2	1	1	1	3	1	59	11	1	1	1	1	6	7	1	2	1	2	1	1	10	3	1	1	1	3	2	1	1

Total suicides	6
Total homicides	6
Total infanticides, &c	17
Total by accidents and negligence	97
Total by disease	59
Total of all cases certified by the coroner	185

I certify that the foregoing statement is correct.

D. C. PATTERSON, *Coroner.*

N.—REPORT OF BOARD OF HEALTH.

DISTRICT OF COLUMBIA, BOARD OF HEALTH,
Washington, November 9, 1877.

GENTLEMEN: In compliance with your request of the 24th ultimo, we have the honor to submit the following report of the operations of the board for the year ending October 31, 1877, under authority granted and duties imposed by your orders.

THE GARBAGE SERVICE.

The contract with Messrs. H. F. Turner & Co., for performance of this service expired March 31, 1877, and by virtue of authority conferred in your letter of March 17, 1877, contract was made with F. M. Draney, esq., for one year, commencing April 1, 1877, for the sum of $11,796, being $3,804 less than the amount paid Turner & Co. for like service during the preceding year.

Under Mr. Draney's administration the work has been performed in a most thorough and efficient manner, and complaints of citizens of neglect on the part of the collectors reduced to the minimum.

The number of tons collected from November 1, 1876, to November 1, 1877, was 6,784, an average of $565\frac{1}{4}$ tons per month, or $21\frac{2}{3}$ tons per day; expense of the service, $13,381, or $1.98 per ton. All of this material has been transported by rail and water to points many miles beyond the District limits.

BURIAL OF PAUPERS.

From November 1, 1876, to November 1, 1877, the remains of 319 paupers were interred in "Potter's Field;" 141 were interred in other cemeteries. Total burials at public expense, 460—43 less than last year. The number of coffins furnished was 460—53 less than last year; 153 still-born infants were buried at the public expense, or 34.26 per cent. of the total number of such burials.

In this connection it is proper to state that this service, imposed upon the board by your orders, has been conducted without prejudice to any branch of the sanitary service, and at the same time it is believed that the public interests have been thereby largely conserved.

NUISANCES.

During the year 741 nuisances were reported as existing upon the public highways, and referred to you with request for abatement. It is not known what number of such nuisances were abated, as the board has not been advised of the action taken, except in a very few of the more flagrant cases.

RECEIPTS AND EXPENDITURES.

The receipts and expenditures of the board for the fiscal year ending

June 30, 1877, from the funds of the District, appropriated by act of Congress of July 31, 1876, have been as follows:

Received.		Expended.	
August	$2,778 32	August	$2,198 13
September	1,389 16	September	1,611 53
October	1,389 16	October	1,700 63
November	1,389 16	November	1,406 25
December	1,389 16	December	1,417 42
January	1,389 16	January	1,381 70
February	1,389 16	February	1,371 16
March	1,389 16	March	1,242 93
April	1,389 16	April	1,429 08
May	1,389 16	May	1,441 09
June	1,389 24	June	1,470 08
	16,670 00		16,670 00

Amount appropriated, $16,670.

ESTIMATE OF EXPENSE OF CONDUCTING THE SANITARY SERVICE OF THE DISTRICT FOR THE FISCAL YEAR ENDING JUNE 30, 1879.

For general sanitary inspection; to prevent the sale of unwholesome food; to prevent domestic animals from running at large; to secure a full and correct record of vital statistics; for the transportation of offals; to prevent the introduction and spread of infectious and contagious diseases, and for miscellaneous and contingent expenses, $43,055, one-half of which sum, $21,527.50, is required from the funds of the District.

In addition to this, a further sum of $15,000, more or less, will be required for the garbage service, and $1,000 for burial of paupers.

Very respectfully, your obedient servants,

T. S. VERDI,
CHRIS. C. COX,
R. B. WARDEN,
D. W. BLISS,
JOHN MARBURY, JR.,
Board of Health, District of Columbia.

HON. COMMISSIONERS DISTRICT OF COLUMBIA.

O.—REPORT OF BOARD OF TRUSTEES OF PUBLIC SCHOOLS.

OFFICE OF THE BOARD OF TRUSTEES OF PUBLIC SCHOOLS,
Franklin School Building, Washington, November 13, 1877.

To the honorable Commissioners of the District of Columbia:

GENTLEMEN: The board of trustees, in response to your communication of the 23d ultimo, requesting "a detailed statement of the transactions of your department since your last report, with any recommendations you may think proper to make, with the object of increasing the efficiency of the same, for the year ending June 30, 1879," has the honor to submit the following report and recommendations, with an estimate of the amount that will be required for the support of the public schools in the District of Columbia for the fiscal year ending June 30, 1879.

The number of youth of school age (6 to 17 inclusive) in the District of Columbia, according to the United States census of 1870, was: White, 21,177; colored, 10,494; total, 31,671.

The whole number of pupils enrolled in the public schools for the school year ending June 30, 1877, was: White, 14,026; colored, 7,238; total, 21,264; increase over the enrollment of last year, 1,635.

The average number of pupils in daily attendance in the public schools for the school year ending June 30, 1877, was: White, 10,948; colored, 5,370; total, 16,318; increase over last year was 1,411.

The number of teachers employed for the school year ending June 30, 1877, was: In the white schools, 218; in the colored schools, 112; total, 330.

The total expenditures for the support of the public schools for the school year ending June 30, 1877, were $370,996.24.

The number of school-rooms owned is: For white schools, 142; for colored schools, 95; total, 237.

The number of school-rooms now rented is: For white schools, 73; for colored schools, 22; total, 95.

Estimate of expenses for the support of the public schools for the fiscal year ending June 30, 1879.

	Salaries of teachers and superintendents.	Wages of janitors and sweeps.	General supplies.	Repairs.	Heating-apparatus.	Fuel.	Rent.	Insurance.	Printing.	Permanent improvements and future.	Miscellaneous expenses.	Total.
Washington schools (white)	$165,000 00	$10,799 54	$5,022 19	$11,682 11	$5,565 95	$6,583 86	$20,537 80	$839 13	$2,642 12	$3,686 25	$2,710 23	$235,669 18
Georgetown schools (white)	18,240 44	1,171 47	861 09	372 55	66 83	1,177 95	3,520 00	253 00	424 12	.....	382 06	26,469 51
County schools (white and colored)	33,441 44	1,899 70	1,218 62	1,838 16	371 03	1,293 38	500 00	596 27	474 83	322 47	155 93	42,111 83

Total estimate of expenses of public schools of Washington, Georgetown, and the county	$304,250 52
Proportionate amount for schools for colored children of Washington and Georgetown	101,416 84
Grand total	405,667 36

The colored children of the cities of Washington and Georgetown are accommodated in schools separate from the white children, and Congress has provided by law that all funds raised for the support of the schools in said cities shall be divided between the white and colored schools in proportion to school population. The division of money heretofore, of necessity, has been based upon the United States census taken only once in ten years. The population in the cities is constantly changing, and the equitable administration of this law would seem to require that there should be an enumeration of children on which to base the division of money oftener than once in ten years, and it is recommended that provision be made for an annual census of all children in the District of Columbia of school age.

SCHOOL-HOUSES.

The supreme need of the public schools of the District at the present time is school-houses. Eighteen of these schools, containing an average of sixty pupils each, have no separate school-rooms; seventy-six are in rented rooms, mostly unsuitable and unhealthly, ten are in old barracks, an inheritance of the war, and cannot much longer be kept from tumbling down, making a total of one hundred and four school-rooms now needed.

The cost of purchasing sites and building thereon plain, substantial, school-houses, containing in the aggregate one hundred and four school-rooms, is estimated at about $400,000. The rental of property for school purposes for the year ending June 30, 1877, cost the District $24,006.94, a greater sum than the interest on $400,000, and the number of school-rooms obtained for this $24,006.94 was only eighty-three, including the ten barrack-rooms owned by the District, but located on leased ground for which the District pays an annual rent. It is, therefore, recommended that the sum of $400,000 be provided for the purpose of purchasing sites and building thereon school-houses, and that the tenancy system be given up.

The sum set apart out of District revenues by the Commissioners "in no event more than $290,000," is not sufficient to pay the current expenses of the schools for the year ending June 30, 1878, within $75,000, and it is recommended that application be made to Congress for the additional $75,000 necessary to continue the schools through the year.

For a further detailed statement of the transactions of this department, you are respectfully referred to the annual report of this board, and of the two superintendents for the school-year ending June 30, 1877, herewith submitted, and particularly to the extract from said report hereto appended.

Very respectfully,

W. W. CURTIS,
President.

Attest:
JOHN H. BROOKS,
Secretary.

Extract from annual report.

During the year, from July 1, 1876, to June 30, 1877, there were disbursed on account of the public schools the following sums of money:

Salaries of teachers and superintendents	$252,224 50
Wages of janitors and sweeps	17,557 75
General supplies	9,195 41
Repairs	13,488 34
Heating apparatus	5,747 78
Fuel	10,720 84
Rent	24,006 94
Insurance	1,907 42
Printing	4,197 98
Permanent improvements and furniture	27,191 37
Miscellaneous expenses	3,478 16
Total	369.776 49
Redemption of county school bonds	1,219 75
Grand total	*370,996 24

The sum disbursed for rent is large, and calls for explanation and consideration. Of this sum, $350, rent account of previous year; $3,200 interest on Linthicum loan; $450, rent of play ground adjoining Seaton school-house; and $1,040, rent of sites of wooden barracks, ten rooms, left over from the war, may be regarded as special or exceptional, and the balance, $18,966.94, as regular. This $18,966.94 was paid for the use of seventy-three school-rooms, being an average of $259.82 for each room. But $259.82 does not represent the average *annual* rental of each room, because fifteen of these rooms were only occupied a part of the year, rendered necessary by the burning of the John F. Cook school-house, in February, and by other causes. The average annual rental to landlords for each room was $282.58. The sum paid to landlords, however, does not represent the whole rental cost to the District. The first cost of fitting up rented rooms, putting in blackboards, and adapting them to school use, which has chiefly fallen upon the District, should be charged to account of rent, and the cost of repairs on them afterward, in *excess* of the cost of repairs on rooms owned by the District and designed and built for school use, should also be charged to account of rent. No separate record of these two items has been kept, but the committee on buildings and repairs, under whose supervision such work has been done, estimate them at $66.26 annually for each room; and this estimated sum, added to the sum paid direct to landlords, shows the actual average annual rental of each school-room according to the rates paid during the year ending June 30, 1877:

Average annual rental to landlords	$282 58
Average annual cost of fitting up and of *excess* of repairs	66 26
Total per school-room	348 84

And this rental would pay the interest at 6 per cent. per annum on $5,814.

Believing these figures to be too high, the committee on buildings and repairs, in their report of June 12, 1877, advised that an effort should be made to procure rooms at lower rates, and the Commissioners, in co-operation, "determined" all leases within their control, and directed the board to ascertain and report the lowest rates or rents at which the same rooms could be re-leased or others leased to take their places. As the result of this action, seventy-six school-rooms were secured at an average annual rental to landlords of $258.97 for each room. The committee on buildings and repairs have undertaken to curtail expenditures for fitting up rented rooms at first, and for repairs on them afterward,

*During the six years ending June 30, 1877, there was expended on account of the public schools of the District of Columbia an average of $397,651.70 annually, or an aggregate of $2,386,910.23. Of this sum the United States Government loaned the District $175,000.

over and above repairs required on rooms owned by the District and built for school purposes, 25 per cent.; or, from $66.26 a room to $49.70 a room. If they succeed, the average cost or rental of these seventy-six rooms will be:

Average rental to landlords for each room	$258 97
Average cost of fitting up and excess of repairs	49 70
Total	308 67

And this rental would pay the interest at 6 per cent. per annum on $5,144.50; or, to state the case in aggregates:

Annual rental to landlords for the seventy-six rooms	$19,681 79
Annual cost of fitting up and of excess of repairs	3,777 20
Total	23,458 99

And this amount would pay the interest, at 6 per cent. per annum, on $390,983.01.

It will be noticed that while the reduction in cost of fitting up and excess of repairs is placed at 25 per cent., the reduction in rental paid direct to landlords is only about 11½ per cent.; but the present rates are "the lowest the committee was able to obtain," and even at these figures the board failed to obtain rooms enough for the schools. There are now eighteen schools, of sixty pupils each, without separate school-rooms. They have been temporarily provided for by a system of duplication, two schools to one room, one school occupying the room in the morning and the other in the evening.

Of this matter more may be said further on. Attention is now asked to the seventy-six rented rooms and their cost; and the question is whether it is better to continue the tenancy system and pay rent; or, to borrow money and build school-houses and pay interest. It has been shown that the annual rent now being paid for seventy-six rooms, at the lowest rates the board has been able to get, is equal to the annual interest at 6 per cent. on $390,983.01. If this sum were borrowed and invested in sites, and plain, substantial school-houses, it would furnish the seventy-six school-rooms, and leave a balance over of $105,983.01; or, it would build one hundred and four school-rooms, which is about the number now needed. This statement is based upon the following estimates of the two architects under whose supervision all, or nearly all, the public school-houses of the District have been built, and of well known real-estate agents:

General CHAS. E. HOVEY,
Chairman Committee on Annual Report, Public Schools, D. C.:

SIR: In compliance with your request I have estimated the cost of erecting and heating a twelve-room school-house, of the size of the Miner school-building, the whole to be substantial, but without ornamentation, with basement story, and with stone base to the height of the main floor, and including grading and fencing, complete, ready for furniture

	$26,200 00
Additional for iron stairways and corridors, fire-proof	3,600 00
Heating with Gold's furnace	2,700 00
Total	32,500 00

Respectfully,

THOMAS M. PLOWMAN,
Architect, late Inspector Buildings, D. C.

NOVEMBER 10, 1877.

SIR: In accordance with your verbal request I have made an estimate of the cost of erecting a three-story and basement school-house, of about the size of the Miner school-building, containing twelve school-rooms, all work to be plain and substantial, but

without ornamentation, iron stairways and corridors, fire-proof, and including grading and fencing, complete, ready for furniture	$30,000 00
Heating by steam	5,000 00
Total	35,000 00

Respectfully,

ADOLF CLUSS,
Architec .

NOVEMBER 10, 1877.

GENTLEMEN: Will you furnish the committee on annual report, trustees public schools, District of Columbia, estimates of the average cost of ground per square foot, in lots of not less than 24,000 square feet, suitable for sites for school-houses, in the following localities: In the neighborhood of Twentieth and K streets, northwest, within four or five squares; in the neighborhood of Fifteenth and Q streets, northwest; east of and in the neighborhood of Judiciary Square; in the neighborhood of Fourth and H streets, northeast; near Stanton Place; in the northeast part of Georgetown, in the neighborhood of West and Monroe streets; and in the neighborhood of Seventh and O streets, northwest.

Very respectfully,

CHAS. E. HOVEY,
Ch'n Com. Annual Report.

Respectfully returned to the committee, with answer that, in our opinion, lots can be purchased suitable for sites for school purposes and of the dimensions named within, in the vicinity of Twentieth and I streets, for about $1.25 per square foot; Fifteenth and Q streets, at about 60 cents per square foot; east of and near Judiciary Square, 80 cents per square foot; near Stanton Place, 35 cents per square foot, and Fourth and H streets, northeast, 25 cents per square foot.

FITCH, FOX & CO.

WASHINGTON, D. C., *November* 12, 1877.

Respectfully returned. I can sell ground, in the required quantities, in the neighborhood of Twentieth and K streets, northwest, for from 20 to 50 cents a foot; in the neighborhood of Fifteenth and Q streets, northwest, for from 25 to 110 cents a foot; in the neighborhood of Seventh and O streets, northwest, for from 20 to 50 cents a foot; and in the neighborhood of Fourth and H streets, northeast, for from 10 to 15 cents a foot.

THOS. E. WAGGAMAN.

NOVEMBER 12, 1877.

SIR: In answer to your letter asking what we would consider an average worth of ground, of not less than 24,000 feet, in the localities mentioned, we would state that we consider 50 cents per foot a fair price.

Respectfully,

YOUNG & MIDDLETON.

NOVEMBER 12, 1877.

It will be seen that the average estimate for building and heating a twelve-room school-house is $33,750, and for a site about $11,250, or $45,000 for both. And this is $3,750 a school-room, or $390,000 for one hundred and four school-rooms, the number now required for the public schools of the District of Columbia.

Such is a financial view of the case; but there is another view, quite as interesting and more important. It relates to the health and lives of school children, and is here presented by the board of health:

REPORT OF THE BOARD OF HEALTH.

The committee appointed at the request of the school trustees of the District of Columbia for the purpose of investigating the sanitary condition of the public-school buildings, more particularly as respects ventilation, ask leave to report that, owing to the very limited time allowed the committee for the inspections required, they determined to engage the co-operation of the health officer, who was requested to make suitable preliminary investigations in order to gratify the immediate demands of the trustees' committee, intending to follow up his researches by a more detailed examination into the entire subject hereafter. The committee is gratified to say that the labors of the health officer in the direction indicated have been so able and thorough,

within the time granted for the work, as to leave little for the committee to do or suggest.

They therefore present the health officer's intelligent statement as substantially their own report, promising at a future time, with the permission of the board, to enter vigorously upon the investigation of the buildings owned by the District, as well as those now rented, and to which alone this report refers, and also to present, as they hope, valuable sanitary suggestions in regard to the future construction of buildings intended for educational uses.

CHRIS. C. COX,
R. B. WARDEN,
D. W. BLISS,
Committee.

Adopted November 13, 1877.

Tabular statement of the condition of the rented school-buildings in Wash

Location of building.	Number of rooms.	Number of pupils.	Air-space, cubic feet.	Cubic feet of air for each person.	Ventilation.	Drainage.	Light.	Heat.
Corner 22d and I streets, n. w....	8	483	71, 889	147	Imperfect	Good.....	Good.....	Sheet-iron stoves.
Nineteenth, between G and H streets, n. w.	2	118	23, 620	197	....do	....do	Bad	....do .....
Corner 19th and H streets, n. w..	2	119	18, 608	154	....do	Defective	....do	....do .....
Corner 20th and R streets, n. w ..	1	44	17, 415	395	Bad	....do	Good.....	....do .....
N, between 17th and 18th streets, n. w.	1	64	14, 840	232	....do	....do	Very bad.	....do .....
Corner 14th and N streets, n. w..	2	121	31, 144	266	Imperfect	Good.....	Good.....	....do ....
H, between 13th and 14th sts., n.w.	1	60	15, 345	251½	....do	Defective	....do	....do ....
Fourteenth, between Ohio avenue and D street.	1	50	14, 192	284	Bad	....do	Bad	....do .....
Thirteenth, between G and H streets, n. w.	2	114	13, 156	113	Very bad.	....do	Very bad.	....do .....
M, between 10th and 11th streets, n. w.	1	47	7, 335	156	Imperfect	....do	Bad	....do .....
Tenth, between R and S streets, n. w.	6	.....	48, 634	132	Very bad.	... do	Very bad.	....do .....
P, between 9th and 10th streets, n. w.	2	123	16, 698	134	Imperfect	Good.....	Bad	....do .....
Corner 10th and G streets, n. w..	2	122	19, 976	161	....do	....do ...	....do	Furnace ..
Sixth, between L and M streets, n. w.	1	112	9, 826	86	Very bad.	... do	....do	Sheet-iron stoves.
Fifth, between M and N streets, n. w.	2	161	25, 131	216	Good.....	....do	....do	....do .....
Corner 9th and S streets, n. w....	4	243	31, 666	132	Imperfect	....do	Good.....	Cast-iron stoves.
F, between 6th and 7th streets, n. w.	4	231	33, 173	141	....do	....do	....do	Sheet-iron stoves.
H, between 6th and 7th streets, n. w.	4	238	49, 061	203	Bad	Defective	....do	....do .....
Corner 5th and I streets, n. w....	1	60	10, 020	167	Imperfect	Good.....	Bad	....do .....
O, between 4th and 5th streets, n. w.	4	262	27, 993	105	....do	Defective	Good.....	....do .....
Corner 4th and L streets, n. w...	3	240	31, 590	130	Very bad.	....do	Bad	Cast-iron stoves.
Third, between L and New York avenue, n. w.	2	123	11, 616	93	Imperfect	Good.....	....do	....do .....
H, between 2d and 3d streets, n. w.	4	218	28, 560	131	....do	....do	Good.....	Sheet-iron stoves.
I, between 2d and 3d streets, n. w	4	224	30, 978	136	....do	....do	....do	....do .....
Corner New Jersey avenue and E street, n. w.	1	52	7, 046	135	Bad	Defective	Bad	....do .....
Corner 8th and I streets, n. e.....	2	117	17, 388	145	Imperfect	....do	Good.....	....do .....
A, between 7th and 8th streets, n. e.	2	124	17, 050	137½	....do	Good.....	Bad	Cast-iron stoves.
A, between 7th and 8th sts., n. e..	1	60	8, 470	139	....do	....do	Good.....	....do .....
Seventh, between A and B streets, n. e.	1	52	8, 844	167	Bad	....do	....do	....do ....
Corner 7th and A streets, n. e....	2	118	32, 144	272	Very bad.	Defective	Bad	....do .....
North Capitol, between B and C streets, n. e.	1	69	14, 016	201	Imperfect	Good.....	....do	Sheet-iron stoves.
E, between 5th and 6th streets, s. e.	1	56	9, 021	159	Bad	....do	Good.....	Cast-iron stoves.
Corner 3d and A streets, s. e.....	2	132	12, 197	92½	Imperfect	....do	....do	....do .....
First, between C and D streets, s. e.	1	65	8, 970	136	Bad	Defective	....do	Sheet-iron stoves.
Fifth and Virginia avenue	2	112	23, 736	212	Imperfect	Good.....	Bad	....do .....

ington City, November 10, 1877, *accompanying report of the health officer.*

Number of pupils now at home ill.	Structure.	Yard.	Closets.	Surroundings.	Remarks.
10	Wood...	Dry and clean	Water-trough.	Insanitary ..	Sanitary condition of rooms differ; light in most defective; generally unsuitable for school purposes.
4	Brick...	Damp.....	Boxes.....	....do	Deficient light and ventilation; comparatively suitable; light in the faces of the occupants of one room.
3	...do	....do	Water	....do	Pupils face the windows in one room; walls are damp; stagnant water on parking on 19th street.
2	...do	....do	Boxes.....	....do	Roof leaks; cellar damp and unventilated; stagnant water in yard and lots adjoining.
2	Wood...	....do	....do	...do	Roof leaks; water drains under building; room very dark.
3	Brick...	None	Water	Sanitary	Comparatively suitable.
2	Wood ..	Dry and clean.	Boxes.....	Insanitary ..	Generally dilapidated and unsuitable.
3	...do	Damp.....	....do	....do	Near to an offensive soap-factory and stables.
4	Brick...	Filthy	....do	....do	Basement of a church; dark and damp; altogether unsuitable; should be vacated at once.
....	Wood...	Very damp ...	....do	....do	Old dilapidated building; roof leaks; rain-water drains in back door.
8	...do	Damp.....	....do	....do	Very dark; especially lower back room; ventilating and heating especially bad. (Colored school.)
2	Brick...	Dry and clean.	Water	Sanitary	New building; comparatively suitable; walls damp from drainage from adjoining roof.
2	...do	None	....do	....do	Ventilation and heating very defective; pupils live too far away; great many ill last winter.
4	...do	Dry and clean.	Boxes.....	....do	Basement of church; light, heat, ventilation, and air-space very deficient; school should be divided.
2	Wood...	....do	....do	....do	In good condition, and suitable for school purposes.
5	Brick...	....do	....do	Insanitary ..	Dangerous staircase; unequal distribution of heat; coal gases in some rooms.
....	...do	....do	Water	Sanitary	Generally suitable.
5	...do	Damp.....	....do	....do	Roof leaks; area and yard damp; water-closets insufficient.
....	...do	Dry and clean.	Boxes.....	....do	Very dark.
8	Wood...	Damp.....	....do	Insanitary ..	Very unsuitable; yard and basement damp; offensive odors from cooking in basement.
6	Brick...	....do	Water	Sanitary	Basement walls very damp; much coal-gas from stoves; atmosphere very impure. (Colored school.)
4	Wood...	....do	Boxes.....	Insanitary ..	Particularly deficient in air-space.
3	Brick...	Dry and clean.	....do	Sanitary	Heating very defective; coal-gas in upper rooms; should be corrected at once.
6	...do	....do	Water	....do	Comparatively suitable.
....	...do	Damp.....	....do	Insanitary ..	Formerly bath-house; basement damp and musty, with decayed floors; drainage very defective and water-closets filthy.
9	Wood...	Dry and clean.	....do	....do	Light, pleasant rooms; comparatively suitable.
5	...do	Damp.....	Boxes.....	... do	Stagnant water in street; damp yard.
....	Brick...	....do	....do	....do	Stagnant water in street; damp yard.
....	...do	....do	....do	....do	Stagnant water in street; damp yard; comparatively suitable.
....	Wood...	....do	....do	....do	Ventilation very bad; drain-spouts not connected; area damp.
2	Stone...	Dry and clean.	Water	Sanitary	Heat and light very deficient.
2	Wood...	Damp.....	Boxes.....	Insanitary ..	Stagnant water in yard and street; leaky privy boxes; windows cannot be opened from top.
4	...do	....do	....do	....do	Air-space particularly deficient.
3	...do	....do	....do	....do	Dilapidated; roof leaks.
4	Brick...	Dry and clean.	....do	....do	Comparatively suitable; stagnant water in gutters on 5th street.

DISTRICT OF COLUMBIA, BOARD OF HEALTH,
Office of Health Officer, Washington, November 12, 1877.

C. C. COX, M. D.,
Chairman Special Committee, Board of Health, D. C.:

SIR: I have the honor to report that, in compliance with your reference, I have inspected the rented school-buildings, list of which accompanied letter of Charles E. Hovey, esq., chairman of committee of the school trustees, requesting such inspection, and submit the following statement:

The short time allowed for this inspection precluded the possibility of making it as thorough and comprehensive as I might desire. The subject of school hygiene being one of great interest and importance, not only to sanitarians, but also to every parent or guardian in the District, I would have much preferred an opportunity to pursue this inspection more minutely, and shall at some future time, if the board of health so require, take pleasure in the study and presentation of the whole question of the sanitary interests of the public schools of the District, with suggestions as to the construction of buildings, and the care of the health of the pupils.

The table appended exhibits concisely the results of the rapid inspection made.

The whole story of the condition of the rooms inspected may be epitomized in a very few words, viz: Altogether insufficient air-space; practically no ventilation, except by windows; unequal distribution of heat; coal-gases from sheet-iron and cast-iron stoves, and generally unsuitable character of the buildings.

Sanitarians and scientists are now generally agreed that, with the best modern appliances for ventilation, each occupant of ehe school-room should be allowed from 260 to 325 cubic feet of air-space, and this estimate is based upon the supposition that each person renders about 10.5 cubic feet of air per minute unfit for further respiration, and that the entire volume of air in the room is changed every twenty-five minutes.

From our table we learn that the average air-space to each occupant of the rooms inspected is, approximately, 170 cubic feet, the air displaced by the bodies, desks, &c., not deducted; twenty of the buildings averaging much below those figures, three being below 100 cubic feet; and had the average of the rooms been taken it would, quite likely, have been found to be in some instances even below that of the lowest building. With no other than the exhalations of the occupants, therefore, to vitiate the air, taking the above average, viz, 170 cubic feet, the whole atmospheric contents of the rooms should be changed every sixteen and a half minutes.

My inspection reveals the fact that, almost without exception, these school-rooms are ventilated, or it is *attempted*, entirely by the windows or doors. Careful investigations have established the fact that this method, even after the pupils have vacated the rooms, never entirely purifies the whole space. The impure air, especially that contained in a crowded room, being heavy, when cool, accumulates and remains around the furniture near the floor, and is only entirely expelled by strong draughts or extraordinary agitations of its volume; so that it is safe to assert that no school-room or public hall is ever thoroughly ventilated, especially in cold weather, by means of the open doors or windows alone. And were that method practicable, the chilling draughts of air blown across the heads of the pupils sitting several hours at their desks must inevitably induce colds, which initiate many of the fatal diseases among children.

In the absence of definite analysis we may estimate, approximately, that by the window and door method the relative quantity of the deadly poisonous property, carbonic-acid gas, constantly present in most of these rooms, when occupied, is not less than from eight hundredths (.08) to fifteen hundredths (.15) per cent.

The atmosphere of cities, as shown by tables recently prepared, ordinarily contains only about five hundredths (.05) per cent. of this gas. An admixture of one (1) per cent. in respired air is sufficient to produce death in a short time, and no person can safely remain any long time in an atmosphere having more than seven hundredths (.07) per cent. of this gas. When, therefore, we add to the carbonic-acid gas the impurities thrown off from the bodies and clothing of the occupants, and the poisonous coal-gases from the open doors and super-heated surfaces of stoves, which are, almost without an exception, the only means of heating these rooms, we have an atmosphere so loaded with poison that none who study these facts will wonder that teachers and pupils, as the long term wears on, suffer from the many diseases attending impure blood and welcome the tardy vacations as their only salvation from death or the doctor, and sometimes, indeed, even that longed-for season does not save them from the visitations of both.

Other insanitary features of many of these buildings are: 1st. Unequal distribution of heat. The stoves generally standing in one corner of the rooms, pupils near by are excessively warm, and, consequently, become chilled when they pass to the outer air, while those seated at the opposite corner are always shivering with cold, and both suffer from colds thus induced. 2d. Imperfect light. In some of these rooms, the teachers inform me, it is almost impossible to read on very cloudy days; in others the pupils were found seated facing the strong light of the windows, which is a position recognized to be very detrimental to the eyes. 3d. The yards and surrounding streets,

alleys, or lots, in some cases, are damp, or contain stagnant water, the latter being generally in consequence of the unfinished condition of public improvements in the vicinity.

These facts, unadorned by theory or speculation, are perhaps sufficient to engender a reasonable doubt in the minds of parents or others interested as to the health and safety of children and teachers obliged to remain five hours a day in the rooms described, and if such doubts become convictions, and the people concerned decide either to keep their children away from school or substitute buildings of approved construction, I believe the highest permanent benefit will accrue to the District of Columbia.

The condition of the several school-buildings is carefully set forth in the foregoing table.

Those located as follows should be vacated at once, and other provision, if possible, made for the pupils, viz:

On Thirteenth street, between G and H, northwest.
On corner Twentieth and R streets, northwest.
On N, between Seventeenth and Eighteenth streets, northwest.
On M, between Tenth and Eleventh streets, northwest.
On Sixth, between L and M streets, northwest, basement.
Corner Fourth and L streets, northwest, basement.

Very respectfully,

P. T. KEENE, M. D.,
Health Officer.

Thus far attention has been drawn to the financial and to the sanitary view of the case. But there is another view which members of the board are not permitted long to forget, namely, the dissatisfaction and irritation growing out of assignments of pupils to these unsuitable rooms. It often happens that some tax-payer brings his little girl to a healthful school-house which his money has helped to build, and asks admission for her, but the school-rooms are full, and more than full, of pupils living nearer than he does, and his child is turned away to some of these rented basements or barracks condemned by the board of health. The trustees have no alternative. Every child in the public schools is equal. It (equality) is the corner-stone of the system.

There is but one way out of the difficulty, and that is to provide equally comfortable and healthful school-rooms for all the children. When this can be done, and at the same time save money to tax-payers, be it never so little, it would seem that the proper authorities ought not to hesitate. The tenancy system ought to be given up. It is cheaper to pay interest than to pay rent; and, if the tale told by the health officer is true—and let him who doubts examine—there are graver reasons than economy why the District should build its own school-houses.

HOW MANY SCHOOL-ROOMS ARE NEEDED.

Seventy-six are required to take the place of the seventy-six rooms now rented; eighteen to supply the eighteen schools now without separate school-rooms, and ten in place of the ten barrack-rooms, which cannot much longer be held together. Perhaps these ten rooms ought to have been classed with the seventy-six rented rooms, inasmuch as the ground on which they stand is rented, and the buildings, though owned by the District, are nearly valueless. They cost heavily, annually, for repairs. No estimate of the needs of the District for school-rooms would be safe which did not take them into account.

* * * * * * *

O 1.—*Public schools.*

	Date of act making the appropriation.	Reference to the Statutes at Large.			Amount of annual appropriation.	Year of expenditure.	Expenditure by warrants.	Amount carried to the surplus fund.	Net expenditures.
		Vol.	Page.	Sec.					
For the payment, in part, for the purchase of sites and the erection of school-houses in the county of Washington, in the District of Columbia, payable to the board of commissioners of primary schools of said county	July 28, 1866	14	316	2	$10,000 00	1867	$10,000 00	.....	$10,000 00
For the purchasing of suitable sites for the erection of additional school-houses, and for the maintenance of schools in the county of Washington, outside of the limits of the cities of Washington and Georgetown, the same to be expended under the direction of the levy court of the county of Washington, subject to the approval of the Secretary of the Interior	July 20, 1868	15	118	1	10,000 00	1869 1870 1872	7,701 29 2,281 72	 $16 99	7,701 29 2,281 72
For the support of primary schools in that part of the District of Columbia lying outside of the cities of Washington and Georgetown, to be expended by the commissioners of primary schools, under the direction of the Secretary of the Interior and the president of the levy court	July 15, 1870	16	314	1	10,000 00	1871	10,000 00	.....	10,000 00
For the payment of teachers in the public schools in the District of Columbia from September 1, 1873, to March 1, 1874; and that the Government of the District of Columbia is hereby authorized and directed to levy and collect a tax to an amount equal to the amount appropriated in this act, upon personal property, including banks and other corporations, in the said District, and pay the same into the treasury of the United States. The money hereby appropriated shall be disbursed under the supervision of the Commissioner of Education	Apr. 18, 1874	18	32	.....	97,740 50	1875	97,740 50	.....	97,740 50
For the purpose of paying for the erection and furnishing of the new school-building in the city of Georgetown, D. C., and for putting the grounds in order; to be disbursed under the supervision of the Commissioner of Education, and shall be regarded as a loan, to be hereafter reimbursed to the Treasury of the United States by the District of Columbia	Mar. 3, 1875	18	404	.....	50,865 00	1875	50,865 00	.....	50,865 00
The Secretary of the Treasury authorized and directed to advance to the Commissioners of the District of Columbia, for support of the public schools of the District, to be available immediately; and said Commissioners shall refund the amount so advanced out of any revenues of the District for the current fiscal year not required for its actual expenses	Mar. 3, 1877	19	347	.....	75,000 00	1877	75,000 00	.....	75,000 00
Total	.....	.....	.....	.....	253,605 50	.....	253,588 51	16 99	253,588 51

P.—REPORT OF THE RELIEF COMMISSION.

WASHINGTON, *November* 8, 1877.

GENTLEMEN: I have the honor to submit herewith two accounts:

First. For moneys received from the Commissioners of the District (supplied from the market-house fund) and from private sources from October 13, 1876, to October 13, 1877.

Secondly. Receipts and disbursements of part of the appropriation by act of Congress approved February 5, 1877, "for relief of the destitute poor of the District of Columbia," the disbursements of all which are verified by the accompanying vouchers numbered 1 to 130.

The first account shows receipts from the market fund of $9,875. From private donations, $410.75.

The second shows the disbursement of $17.943.09 which came into the hands of the commission from the appropriation of $20,000 by Congress.

The first account shows a balance of $1,100 due G. L. Sheriff and $300 due J. E. Zug for fuel, which added to above receipts from market fund and private donations makes the whole amount appropriated for charitable purposes, exclusive of Congressio nal appropriation, $11,685.75.

The following explanation willl relieve the commission from any charges of unwarranted expenditure in incurring the debt:

As the funds from the District, available for charitable uses, were exhausted soon after the 1st of January, 1877, when the need of charity seemed most pressing, it was thought Congress would very soon make an appropriation, and the commission would be safe in continuing its work, relying upon the forthcoming appropriation.

After the law for the benefit of the destitute of the District had passed, its phraseology was such that the Commissioners of the District did not feel justified in applying any portion of the appropriation for the payment of bills already incurred.

This construction deprived us of the means with which to pay these bills, and left us with a debt, which has been steadily reduced by contributions from the market fund, until there now remains but $1,400, which it is believed will be fully paid at the end of the present quarter.

The commission, profiting by experience, discouraged, as far as possible, all personal appeals for aid, insisting upon written applications by postal or letter, giving address.

Very soon a deluge of postals rained in upon us, numbering from 100 to 600 daily. Each address was transferred to a slip containing printed questions as to nationality, color, number in family, &c., and placed in the hands of visitors, who were required to make personal inspection of the premises described, converse with the parties, and determine with all reasonable certainty their circumstances, putting their conclusions in writing upon the slip and returning it to the office of the commission.

If the report of the visitor was favorable, an order was immediately issued for fuel and groceries. The former usually called for one-quarter ton coal and fifty cents worth of kindling. The latter for ten pounds flour, twenty pounds meal, five of rice, and in cases of sickness a little tea and sugar.

The orders were delivered by the commission directly to the dealers, who sent the articles called for, taking a receipt for the same on the back of the order, which constituted the voucher of the dealer in the settlement of his accounts.

A stub is retained in the office showing the number of order, and in all respects a duplicate of the order itself.

The commission prescribed a rule that no person should receive aid

more than once in any one month, and that none should be aided who had not been a resident of the city at least thirty days.

The accompanying accounts show the whole amount of disbursements to have been $27,206.62.

Whole number of orders filled was	19,077
Number of families helped	8,191
Fuel and groceries dispensed as follows:	
Flour, pounds	89,925
Meal, pounds	171,325
Rice, pounds	25,042
Sugar, pounds	2,580
Tea, pounds	679
Coffee, pounds	35
Ham, pounds	63
Bread, loaves	13
Coal, tons	1,887
Kindling, costing	$3,469

To do the work there were employed five clerks, at a salary of $40 per month, and four visitors, at $30 per month, making the total cost on account of service, $888.90.

The labor by the clerks and visitors was arduous, requiring from eight to fourteen hours' service per day.

In addition to the above expenses there was expended for printing blanks, advertising, stationery, room-rent, fuel, &c., $153.37, making the total expense attending the disbursement of the $27,206.62 to be $1,042.47.

The commission ceased its active work on the 31st of March, but orders have been given occasionally during the whole year.

Various opinions are entertained as to the best method of dispensing charity.

The public sentiment of the country, which is now thoroughly aroused on the subject, unites in the conviction that the best charity for the able-bodied, unemployed poor, is to help them help themselves; that is, provide them work.

In this District there are many who, from old age, infirmity, sickness, and general inefficiency are utterly incapable of work, while there are many more who are idle because no work can be had; another class, not insignificant in numbers, will not work as long as they can live by begging.

Without wasting any sympathy upon the latter, the two former deserve and compel our attention.

In addition to the number of charitable institutions of the District supported by Congress, several are doing noble work which are dependent entirely upon voluntary and private contributions.

What is needed to give confidence to our benevolent citizens whose means support these charitable institutions, is some carefully-devised system by which *all applications* for aid should be made through a central bureau, where the circumstances of the applicant should be carefully considered.

If the party was found needy he could be referred to one of the existing charitable organizations for relief.

No better plan for encouraging begging could be devised than now exists here, arising from want of system and harmony of action among our benevolent societies.

It is possible some systematic arrangement could be made by which the institutions supported by Congress could be brought into more united and therefore more effective work.

If these reforms could be effected, by which harmonious and united action could be secured by our public and private charities, much would be accomplished toward abating the evils of pauperism as well as relieving the suffering in our midst.

The great want, however, which now overshadows all others is the

WANT OF EMPLOYMENT.

Without assuming to decide the question as to the duty of government to furnish employment when other means fail, the plan has been introduced by some benevolent organizations, with marked success, of supplying labor temporarily at about *one-half its par value*, simply as a means of charity, until the laborer can find more remunerative employment elsewhere.

If such a plan could be introduced here by our local government, the laborer, lifted above pauperism, would have the satisfaction of *earning* his bread, and the city would receive full equivalent for its money.

The "hard times" are telling seriously upon the destitute of the District, and the inclement season of winter approaches.

Our citizens always respond promptly to the cry of the hungry and needy when assured of the faithful applications of their contributions.

No such assurance can be given while the present want of system in all our charities prevails.

It is believed if the plans above hinted at were adopted, that the streams of benevolence would flow in sufficient quantities to relieve the larger portion if not all the suffering from want and destitution in the District.

In closing this report I may be excused for suggesting a question of a serious nature now forcing itself upon our attention, viz:

WHAT SHALL BE DONE WITH PAUPER CHILDREN?

They should not be allowed to associate with adult paupers and contaminated with the stigma of poorhouse life, but rather should be subjected to such remedial influences as will ultimately save them to themselves and society.

In this connection I am constrained to express the hope that Congress will look with favor upon the efforts of some of our philanthropic citizens to establish a

REFORM SCHOOL FOR GIRLS.

This want is a pressing one if we would stay the tide of vice and immorality alarmingly on the increase in our midst.

These and other questions relating to charities in the District deserve attention; indeed, the whole subject of charities and pauperism needs careful revision, investigation, and wise legislation.

Valuable assistance was rendered to the commission in its work last winter by the Ladies' Aid Society of Capitol Hill, Mrs. L. Whitney, president; the Ladies' Aid Society of East Washington, Mr. S. H. Marks, secretary; the Lincoln Mission, Mr. Sanborn, president; Saint Vincent de Paul Society, under the direction of Doctor Huntington; the Relief Association of the First Presbyterian Church; Women's Christian Association.

The voluntary aid afforded by these charitable organizations was timely, hearty, and gratuitous.

Respectfully submitted.

WM. STICKNEY,
President and Treasurer Relief Commission.

The Hon. COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

Q.—REPORT OF COUNTY BOARD OF ALMONERS.

WASHINGTON, D. C., *November* 12, 1877.

GENTLEMEN: I have the honor to submit the following consolidated report relative to the disbursement of that portion of the twenty thousand dollars appropriated by Congress at the last session for the poor of the District, as was used by the county committee, or almoners, outside of the corporate limits of the cities of Washington and Georgetown.

The money was received in the five different installments, viz:

The first installment was	$320 21
The second installment was	615 19
The third installment was	232 81
The fourth installment was	348 36
The fifth installment was	540 05
Total	2,056 62

This money has been disbursed under the direction of the six gentlemen appointed by the Commissioners as county almoners, and the vouchers have been submitted to and are on file in your office. The following articles have been purchased and distributed to the poor, as exhibited upon the vouchers on file in your office, viz: 6,111 pounds of flour, 26,304 pounds of meal, 6,515 pounds of meat, 1,557½ pounds of sugar, 83¼ pounds of tea, 316 pounds of coffee, 526 quarts of hominy, 526 fish, 29 pounds of rice, 15 quarts of beans, 1 bag of salt, 50 quarts of molasses, 10 loaves of bread, 13 pounds of crackers, 8½ tons of coal, ½ cord of wood, 142 pairs of shoes, 1 pair stockings; $21.70 has been disbursed for medicines, and $4.50 for printing orders and bills.

From this it will be observed that the entire amount was expended for food and fuel, except the $21.70 for medicines and the $4.50 for printing.

The almoners have performed the duties of visitors to a considerable extent themselves, but have been aided by the police and citizens generally somewhat.

We have exercised vigilance in preventing imposition, and have exerted ourselves strenuously in distributing alms to persons absolutely needing it, and who were forced into their condition of poverty through circumstances over which they had no control. Of course we could not always discriminate correctly, but we congratulate ourselves that few, very few, cases of imposition have been developed. The great cry is for work with those who can work, and if work could be secured almsgiving could be reduced to a wholesome system.

Respectfully submitted.

L. S. EMERY,
President County Board of Almoners.

The Hon. COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

R.—REPORT OF THE COMMISSIONER OF THE WASHINGTON ASYLUM.

OFFICE OF THE COMMISSIONER
OF THE WASHINGTON ASYLUM,
Washington, November 15, 1877.

GENTLEMEN: I respectfully submit herewith the report of the operations of the Washington Asylum from November 15, 1876, to October 31, 1877.

In presenting this report, I desire briefly and in general terms to compare the past with the present, and offer a few suggestions as to the future of this institution.

Until a very recent date, the pauper classes were looked upon as an unavoidable evil incident to the times, for whom some provision was demanded by the instincts of humanity, and to them was grudgingly accorded a roof to protect them from the weather and subsistence enough to keep them alive. Now, however, this order of things has changed. In most of the States of the Union an enlightened sentiment has successfully demanded that the unfortunate poor, smitten by God and deserted by their fellow-man, were entitled to the protecting care of the State; and in obedience to that sentiment, throughout the land there have been erected almshouses and asylums which possess all the requirements for the comfort of this dependent class. Many of these are imposing structures, designed and fitted up with an elegance which illy compares with the squalor and misery that they cover; but this extreme is giving way to the practical sense of the age, and the American almshouse of the future will be a plain, substantial building, properly heated and ventilated, provided with accommodations for the labor of those who are able to labor, and conducted upon the economic principles which award the inmates an asylum in fact as well as in name, and at the same time protect the public from useless and extravagant outlays.

The Washington Asylum proper was built and occupied in 1859 "for the accommodation of the poor, infirm, and diseased persons, vagrants, and disorderly persons of the city." It is probable that at that period the building was large enough for the many purposes to which it was dedicated, but even at that time the action in crowding the sick, the poor, and the criminal under one roof had its disadvantages. For hospital purposes, there had been set apart two rooms of the building totally unfitted for the use of the sick, and to the prisoners and paupers was devoted either wing of the edifice, while the intendant and officers occupied the front portion.

There are no reports of the institution of that date from which to obtain data, but the United States census for 1860, in the table on pauperism and crime, gives the following figures for the District of Columbia, which were probably obtained from official sources: Population, 75,080; number of paupers supported during the year ending June 1, 1860, 2,081; number in asylum June 1, 1860, 142; number of prisoners convicted during the year, 264; number in prison June 1, 1860, 210. It is impossible to state what proportion, if any, of the convicts were inmates of the asylum, for at that time both the United States jail and penitentiary were located in the city, and it is more than probable information regarding criminals was sought only from the officers of said institutions. Ten years later the District, with a population of 131,700, is credited with having supported 556 paupers during the year ending June 1, 1870, of whom 453 were receiving support at the date named. During the year ending as above the number of convicts is set down at 145, of whom only 66 were in prison June 1, 1870. These figures are so unreasonably low, that it must be assumed that punishments for offenses against the municipal ordinances were *not* included in them, and only this class, of course, were inmates of the asylum.

Certain it is, that from 1860 to a very few years ago the institution was gradually crowded with its several classes of inmates, without regard to safety, health, or decency. The comfort of the poor was subordinated to the care of sick, and both in turn gave way to the safety of prisoners, and

in the ill-arranged amalgamation all classes suffered. The death-rate ran up to an alarming percentage; necessary repairs and improvements were forgotten; a lack of system was observable throughout, and instead of a properly-enforced discipline among the inmates, the now obsolete system of curses, cuffs, and kicks was indulged in. Further than this, when one of the unfortunates died the body was hurried into a shallow grave in the neglected potter's field, from which it was stolen—or rather taken, for there was no effort to protect it—almost before it was cold.

During all this time but one decided effort at improving the institution was made. The visiting physician then in charge, with a due regard for his professional reputation, as well as a laudable purpose to serve the unfortunates, had, after an industrious effort, erected a small hospital building in accordance with modern plans, and attempted to direct the treatment of those whose lives and health were committed to his care. Such an innovation upon the incompetency of the past could not go by unheeded, and, after a vain struggle, he was displaced and the old order of things resumed.

To sum up briefly: Three years ago the buildings were sadly out of repair and overcrowded in both the prison and pauper department; the grounds and outbuildings were neglected; the hospitals, sunk in a hollow, hidden from the sun and air; the poor-house inhabited by a favored crowd, who had, under a pernicious practice which had grown up, been mutating for years between the poor and prison departments; in fine, there was such an utter lack of system, that nothing but a radical change could effect needed reforms.

One of the first moves was the improvement of the hospital department, which, under the direction of Dr. William Page, the physician, was removed from its hidden and unhealthy locality to a commandinig position, and so improved by additional buildings and other hygienhc efforts that to-day, with an average of seventy-five inmates, its death-rate is lower than ever, and it forms the nucleus of a future general city hospital which will meet the demands of the community in that respect, and compare with similar institutions throughout the country. The next move was to secure room, and to that end your honorable body secured the passage of a resolution by Congress granting permission to occupy the old jail for a city prison. This afforded a temporary relief, and was followed by an act turning over the old building to the District, with the promise that it should be torn down and the material used in the construction of a new building for work-house purposes. Owing to a disagreement between the two houses, this failed to become a law until the last session of the Forty-fourth Congress, when it passed, thus giving the institution its first recognition and appropriation from the Federal Government.

In accordance with the act, the old jail was demolished, and a center building and north wing of the new work-house, located south of the hospital buildings, constructed under your direction. This edifice is now under roof, and if the remainder of the work be properly pushed, it can be ready for occupancy within a few months.

The main asylum building has been much improved in a number of minor matters, a thorough system of rules and discipline adopted and enforced, the grounds laid out and partially improved, the barns and stables fitted up, a large quantity of stock and material of various kinds, which had been neglected and thrown aside, has been repaired and placed in use, all the bodies exhumed from the waste known as potter's field and reinterred in the asylum cemetery—a ground prop-

erly laid out in grave-sites—a record of the name, date of death, &c., being kept, and the cemetery guarded so as to prevent desecration. The details of these improvements are given in the report of the intendant.

OF THE FUTURE

of this institution it can only be said that it cannot be permitted to retrograde. The care of the pauper and criminal classes is a subject which has at last awakened the attention of the public, and to it some of the most enlightened men and women of the day, in a spirit of philanthropy and humanity, are devoting their energies.

In regard to the criminal inmates of the institution, there is a peculiar difficulty, to which I have called your attention in previous reports, both annual and special, viz, the fact that under existing laws the highest term of imprisonment in the workhouse is ninety days. For this reason it has been impossible heretofore to provide employment for the inmates in any of the mechanical branches, as is done in other prisons; and I have urged that, as a matter of self-protection, habitual vagrants, &c., may be committed for a period of one or more years, as by this means they can be compelled to work in workshops to be provided. These recommendations I earnestly renew; and while acknowledging that the labor may not, and probably will not, prove remunerative, I hold that enforced idleness, except when coupled with solitary confinement, is most subversive of discipline, demoralizing, and pernicious. Unless some system of compelling labor which is punishment is introduced among the indolent vagabond class referred to, their incarceration is a holiday; for they are furnished with more warmth, better food, and more solid and essential necessaries of life than they enjoy outside the workhouse walls. They are beyond the reach of the prison sentimentalists and the heavy hand of the task-master, and a rigorous discipline, sternly enforced, should be administered, to the end that if they are not reformed, they are at least inspired with such a dread of the workhouse that the fear of return to it may prevent a repetition of criminal conduct.

For the time being, with the addition of the suggested shops, the workhouse will be ample for the use to which it is to be devoted. The hospital needs, and should have immediately, one additional ward, to meet the demands upon it, and certain improvements and repairs in the main building will render it large enough for awhile for the wants of the poor, and the important provision can be made by which the young can be separated from the old, both in the prison and almshouse departments. The subject of a girl's reformatory is treated in another chapter, and if this be enacted it will complete a group of which the people of the District need not be ashamed.

As in my judgment conducive of the best possible results, I renew my recommendation that all public institutions of charity, asylums, hospitals, &c., in this District, that are supported in whole or part by national or District appropriations, be placed under the control of the District government, and managed by a board to be selected from among our best citizens of both sexes, who shall have general charge; that all appropriations of public money shall be made in the aggregate, and apportioned and disbursed by them, and that they shall at all times have the right of inspection of all charitable institutions, both public and private.

ALMSHOUSE.

The following statistics give the number of inmates, &c., in the asylum during the year ending November 1, 1877:

On the 15th November, 1876, there were 169 inmates in the almshouse. Admitted since, 428; born, 16; making a total of 613. Of this number were discharged, 319; died, 86; making a total of 405. Number of inmates now in almshouse, 208. Of the 428 admitted since November 15, 1876, there were 250 males, and 178 females; 230 were colored, and 198 white; 121 were born in Virginia, 99 in Maryland, 69 in the District of Columbia, 1 in Ohio, 12 in Pennsylvania, 3 in Maine, 2 in South Carolina, 6 in North Carolina, 9 in New York, 2 in Connecticut, 1 in Tennessee, 1 in Louisiana, 1 in Mississippi, 1 in Rhode Island, 2 in Kentucky, 1 in Delaware, 5 in England, 62 in Ireland, 19 in Germany, 3 in France, 1 in Holland, 1 in Switzerland, 2 in Italy, 1 in Canada, 1 in Bavaria, 1 in Scotland, 1 in Bohemia.

From the foregoing figures it appears that 69 were born in the District of Columbia. Ten foreign countries and 15 States of the Union have contributed to fill up the large number of inmates.

During the year there were 16 births in the almshouse, as follows: white female, 1; colored female, 2; colored male, 13.

WORKHOUSE.

On the 15th November, 1876, there were 164 inmates in the workhouse. Admitted since, 1,695; making a total of 1,859. Of this number were discharged, 1,595; escaped, 108, and died, 4; leaving at present a total of 152. Of the 1,695 admitted since November 15, 1876, there were 1,266 males, and 429 females; 1,025 were colored, and 670 were white; 455 were born in the District of Columbia, 483 in Virginia, 341 in Maryland, 55 in New York, 50 in Pennsylvania, 14 in New Jersey, 2 in Delaware, 2 in Michigan, 3 in Missouri, 1 in Mississippi, 2 in Alabama, 6 in Illinois, 8 in Ohio, 7 in Tennessee, 13 in Massachusetts, 3 in North Carolina, 3 in Florida, 5 in South Carolina, 1 in California, 3 in Rhode Island, 5 in Kentucky, 1 in Texas, 3 in Maine, 3 in Georgia, 1 in New Hampshire, 3 in Louisiana, 2 in West Virginia, 1 in Connecticut, 1 in Vermont, 29 in England, 145 in Ireland, 19 in Germany, 4 in France, 4 in Scotland, 1 in British America, 1 in New Brunswick, 1 in Isle of Man, 3 in Canada, 2 at sea, 1 in Italy, 2 in Switzerland, 3 in Holland, 2 in Australia, and 1 in Central America.

Of the 1,695 admitted, 512 were for vagrancy; 407, for disorderly conduct; 309, for profanity; 56, for carrying concealed weapons; 27, for indecent exposure; 3, for carrying consealed weapons and profanity; 213, for disorderly assemblage; 1, for disturbing theatrical performances; 33, for throwing stones in streets; 1, held for hearing; 5, for injuring public property; 7, for injuring private property; 4, for selling liquor without license; 2, for disorderly conduct and vagrancy; 1, for climbing on park-railings; 4, for profane and indecent language; 42, for trespassing in parks; 2, for tying horses to a tree; 2, for defacing private property; 2, for disturbing a church; 1, for keeping a gambling-table; 1, making excavations in street without permit; 1, injuring public property and vagrancy; 2, for attempt to pick pockets; 12, for being professional thieves; 3, for obstructing footway; 1, for enticing prostitution; 4, disorderly conduct and carrying concealed weapons; 4, peddling without license; 2, keeping an eating-saloon without license; 1, for firing a pistol in the street; 1, trespassing and defacing private property; 1, cruelty to animals; 1, disorderly conduct and profanity; 1, refusing to aid an officer in making an arrest; 2, bathing in public places; 1, buying and selling in market during market hours; 1, disorderly assembly and enticing prostitution; 6, bathing in Potomac; 1, driving on footway;

1, holding unlicensed ball; 1, vagrancy and carrying concealed weapons; 2, disorderly and carrying concealed weapons; 1, committing a nuisance; 4, vagrancy and disorderly assembly; 1, injuring trees on street; 1, failing to pay legal rates for hack; 1, spring-scales in huckstering; 1, defacing public property and carrying concealed weapons; 1, keeping a gambling-house; 1, removing blocks from street—total, 1,695.

As showing the *pro rata* of criminals properly chargeable to the District, the following table of the nativity of prisoners admitted to the workhouse during the year is given:

Table of nativity.

States in which prisoners were born.	Number.	Per cent. of whole.
District of Columbia	455	0.269
Virginia	483	0.285
Maryland	341	0.202
New York	55	0.033
New Jersey	14	0.009
Pennsylvania	50	0.029
Massachusetts	13	0.008
England	29	0.012
Ireland	145	0.085
Germany	19	0.011
All other States and countries	91	0.054
Total	1,695	

GEORGETOWN ALMSHOUSE.

The Georgetown almshouse, which is the property of the District, has been, by authority of the honorable Commissioners, permitted to be used for the purposes of the Georgetown Industrial School. We have there twelve aged and indigent poor, for whose support the District pays a monthly sum agreed upon.

EXPENDITURES.

The following statement shows the amount expended by the District government during the year for charities and corrections:

Washington Asylum.

Compensation of employés	$6,553 34
Contingent expenses	25,521 45
Fuel	893 11
Insurance	80 00
Total	33,047 90

Georgetown almshouse.

Support of paupers	$1,539 40
Repairs	11 25
Insurance	56 00
Total	1,606 65

All other purposes.

Insane asylum, treatment of insane paupers at	$7,051 68
Transportation of paupers	1,480 32
Reform school, board of boys at	15,121 84
Conveyance of prisoners to workhouse	300 00
Free central dispensary	600 00
Night-lodging house	600 00
Relief commission (Washington and Georgetown)	7,875 00
Relief commission (county)	1,000 00
Soup-house	50 00
Relief of poor, general (act of Congress February 5, 1877), expended under the direction of the relief commission	20,000 00
Total	54,078 84
Grand total	88,733 39

INSTITUTIONS IN OTHER STATES.

An effort was made to prepare tables showing the workings of institutions similar to the Washington Asylum in several of the States, in order to demonstrate the cost of conducting workhouses, almshouses, and hospitals in said States as compared with this District. Owing to the incomplete data at hand the tables are very meager, but give the general information desired to be imparted as follows:

Table of hospitals in several States.

Name and location of institution.	No of inmates.	No. of offices.	Cost.	Salaries.
Brooklyn City Hospital, New York	743	No data	$26,439 17	$4,910 60
City and County Hospital, San Francisco, Cal	3,758	43	101,836 07	25,858 50
Worcester Asylum, Massachusetts	811	No data	100,000 00	34,800 00
Rochester City Hospital, New York	434	...do	20,512 16	3,391 19
Hospital Department, Ohio House of Correction	694	(*)	†127 11	.....

* Three physicians. † For drugs.

Table of workhouses or similar institutions in several States.

Name and location.	Number of inmates.	Number of offices.	Cost.	Salaries.
County Jail, Providence, R. I	2,682	9	$15,447 31	$8,365 74
Workhouse, Cleveland, Ohio	1,289	7	39,288 22	9,512 88
State Workhouse, Bridgewater, Mass	*427	No data...	49,269 72	11,649 64
County Prison, Milwaukee, Wis	636	15	17,492 47	7,434 81
Baltimore City Jail	12,354	13	49,622 07	No data.
State Workhouse, Ohio	*400	No data...	50,856 00	9,512 88

* Average.

Table of almshouses or similar institutions in several States.

Name and location.	Number of inmates.	Number of offices.	Cost.	Salaries.
County almshouses, Milwaukee, Wis	*174	12	$48,988 56	No data.
City Almshouse, San Francisco, Cal	763	No data...	64,499 25	$15,910 68
County Almshouse, Albany, N. Y	1,044	....do	62,900 00	No data.
State Almshouse, Massachusetts	2,889	....do	95,272 47	17,607 84
Bayview Asylum, Maryland	819	....do	†32,466 26	No data.

* Average. † Salaries not included.

The following table will show the average number of inmates and aggregate of salaries paid to employés in several institutions similar to the Washington Asylum:

Name of institution.	State.	Average inmates.	Salaries of employés.
Washington Asylum	District of Columbia	400	$6,553 34
California Industrial School	California	214	19,377 50
City Almshouse, San Francisco	California	386	15,910 68
Bridgewater Workhouse	Massachusetts	427	11,649 64
Rhode Island State Farm	Rhode Island	566	19,322 67
Cleveland Workhouse and House of Refuge	Ohio	400	11,339 52
Illinois Reform School	Illinois	174	9,984 07
Iowa Reform School	Iowa	166	7,432 50

The Rhode Island State farm, organized similar to the Washington Asylum, comprises workhouse, almshouse, and insane departments, for which the expenditures are made in the aggregate. The report shows the number of inmates during the year in workhouse, 1,390; almshouse, 458; insane department, 302. In the hospital department 350 cases of sickness from the three branches were treated and 53 deaths occurred. The total expenditures for the year, as near as can be ascertained, were $94,315.28, including $19,322 for salaries and $3,346 for permanent improvements.

THE HOSPITAL.

The report of Dr. John J. Dyer, visiting physician to the asylum, gives an interesting summary of the work of that branch for the year, embracing the usual statistics and suggestions. His figures show the total number of patients treated in the hospital proper, 659; deaths, 93; the percentage being 14.11. These figures seem large, but when it is considered that this hospital is the final receptacle for the worse cases—what may be termed the incurables—from all other institutions of the city, the number will be accounted for.

His recommendation for a new lying-in ward for white women is heartily approved, and I recommend that it be built as soon as possible, as also a new and properly constructed office and dispensary.

RELIGIOUS WORSHIP.

In his report the intendant states that public worship is held each Sabbath. In order that suitable provision for this should be made, I addressed a letter to the intendant August 23, 1877, of which the following is an extract:

> The law creating the asylum provides: "Public worship shall be held every Sabbath at least once during the day, at such hour or hours and at such place as the board may direct, and those who attend shall appear decent in their person and apparel and behave with decorum, and every violation of propriety shall be punished at the discretion of the board, and it is hereby directed forthwith to make all necessary provisions for carrying into effect the above regulations." In pursuance of this law you will, as soon as you can make the proper arrangements, set apart a suitable room or corridor for the purposes of public worship, making no discrimination in favor of any sect.

When the new workhouse is completed and occupied, such room as can be properly used will be set apart for the purpose of worship, but for the remainder of the institution—the inmates of the almshouse and the convalescents of the hospital—a small, neat frame chapel might be

built upon some eligible portion of the grounds. The expense would not be great, and in the event of its erection an arrangement could be made by which regular services could be held by the ministers of the several denominations.

CHANGES OF OFFICIALS.

During the past year Col. E. F. M. Faehtz was appointed intendant of the asylum. The new incumbent brings to the discharge of his duties large technical knowledge, considerable administrative ability, and has signalized his advent by the institution of many needed reforms. In the hospital department, upon the resignation of Dr. W. M. Page as visiting physician, his place was filled by the appointment of Dr. J. J. Dyer, a gentleman highly commended for his professional knowledge, and whose administration thus far has proven entirely satisfactory.

PAUPERISM.

The number of indigent has now, in all communities, reached such proportions that the subject of pauperism and its increase is being carefully studied with a view of legislative enactments for its abatement.

In the State of New York, where the asylums are among the largest and best conducted in the country, an exhaustive inquiry has just been completed under the direction of the board of State charities into the antecedents, former habits, and so forth, of the paupers, and they may be taken as a fair basis for other sections. Of 12,614 inmates, 3.35 per cent. were born in asylums, 21.06 per cent. entered between the ages of one and twenty years, 58.76 per cent. from twenty to sixty years, and 16.83 per cent. after the age of sixty had been passed. Of this number 38 spent ever forty years in the poorhouse; 535 periods between twenty and forty years, and the average time of all reached nearly five years, footing up in the aggregate the large figure of 61,595 years.

Pursuing the inquiry, 9,855 were examined as to their educational attainments, and it was ascertained that of this number, 2,918 had received a fair common-school education; 2,384 could read and write; 1,447 could read only, and 3,106 were unable either to read or write. Of personal habits the percentage of intemperance among the males was 84.36, females, 41.97, or of both sexes, 61.23.

The opinion generally prevails that the inmates of the poorhouse are, to a considerable extent, persons who through misfortune in business or otherwise were thrown upon the charity of the world and compelled by a train of misfortunes to seek its shelter. Careful inquiry, however, proves to the contrary. With rare exceptions, the inmates of asylums never owned any real or other property to any considerable extent, and all, or nearly all, confess to idle and shiftless habits in early life, with liitle or no thought of the future. Another feature, but little understood by the public, is that these habits have been transmitted from generation to generation, forming in the older States a hereditary line of paupers.

For example, of 2,453 paupers grouped in families in New York, it was ascertained that the total number of persons in the same families (living and dead) during three generations known to have been dependent upon public charities was 14,901; total insane in same families (living and dead) 4,968; total idiots (living and dead) was 844, and the

total number of inebriates in the same families (living and dead) was 8,863.

Grouping the entire pauper inmates of any institution who have passed the age of 30 years, it will be apparent, even to the casual observer, that they have reached the condition of utter helplessness and dependence through the combined results of idleness and disease, which might have been in many cases arrested by early and proper measures, but which it is next to impossible to eradicate after that period, and they thus remain a burden upon the State.

In no place do the authorities who are giving the subject of pauperism and crime that intelligent consideration which it demands, doubt but that by the use of proper measures the young pauper element can be taught habits of industry and made self-supporting, or that the initiate in the primary school of crime can be reclaimed and, after paying the penalty which society exacts for their misdeeds, be returned reformed.

That this can be done all agree; but, in my opinion, society will have to cast off some of its old-established notions, forget the past, and accept men and women for what they are, and not what they have been, before the work of the reformer can be made of avail. All their labors, however, are on the side of right, and they deserve and should receive the consideration of the public, who are, unfortunately, only too apt to pass by matters of such grave import.

To aid in keeping down the increase of paupers it is necessary that some vigorous measures should be adopted, among the first of which is a proper classification of inmates of institutions. The really unfortunate and worthy sick should be objects of especial care, and a rigorous system of labor should be devised for the idle and unworthy; for the absence of some employment naturally tends to make even the temporary inmates chronic paupers. One character of labor which can always be provided in such establishments is the most perfect cleanliness of the house, rooms, bedding, and apparel, which is not only essential for the proper conduct of the institution as a sanitary measure, but cannot fail to have an elevating effect upon unfortunate dependent inmates.

In the Washington Asylum there are now and have always been a number of children, varying in age from infants to four or five years. This is an evil which should be at once remedied, for this constant association of the young with their parents and others in the existing idleness in poorhouses has a tendency to train the child in habits and methods which break down self-respect and prepare him for a like fate in old age, if not in mature life, and is thus a prolific source of evil. At present there is no way of providing for these waifs. In many of the States they are boarded at the expense of the State in respectable families while very young, and when a proper age is reached apprenticed to farmers or others in the rural districts, the State, however, maintaining, through a special agent, a watchful care after their welfare.

I recommend that in this District all such shall be boarded at some one of the charitable private asylums, the government making the best possible terms for their care and custody. In this manner they will be relieved from the unfortunate associations now surrounding them, be instructed in religious matters, receive the elements of an education, taught something of labor, and in a degree, at least, be given a start in life.

Table showing the number of paupers admitted to the almshouse since November 15, 1876, *and the percentage of the whole born in each State.*

State in which born.	Number.	Per cent. of whole.
Virginia	121	0.283
Maryland	99	0.232
District of Columbia	69	0.161
Pennsylvania	12	0.028
North Carolina	6	0.014
New York	9	0.021
England	5	0.012
Ireland	62	0.145
Germany	19	0.044
All other States and countries	26	0.060
Total	428	

A reference to the table of inmates of the asylum for the past year shows that a large proportion of them are not natives of the District, and while in many cases their terms of residence here entitle them to admission, the fact cannot be denied that they have never earned this right to care and custody by either good conduct or industry during citizenship. On the contrary, they are a class who, during their stay in the city, have been at all times the beneficiaries of the several government institutions. A striking contrast with this condition of affairs is the fact that the reports at hand from twenty-two States of the country, and including all classes of institutions, penal, charitable, and reformatory, do not show the District of Columbia charged in the aggregate with more than seven inmates.

Just where we can draw the line in regard to admissions to our asylum and hospital is a matter not easy to determine on account of the peculiar construction of the residents of the District, but the safer way for all concerned would be for the general government, which now supports several institutions in the city at a large annual expense, to turn the appropriations over to the District authorities, thus enabling us to provide for the wants of all the deserving without regard to their nativity, a procedure contemplated by the government, but in many instances not carried out by its agents.

PRISON DISCIPLINE.

In all the large prisons or penitentiaries where inmates are confined for long periods systematized labor is required, varying in its character in different States, but in each making some return in order to lessen the immense expense of successfully conducting such institutions. But in all the States, especially in the large cities, the authorities are nonplused as to what disposition could be made of the inmates of workhouses and city jails. The prisoners are, as a rule, committed for violation of municipal ordinances, their terms varying from ten days to six months, and under the present order of affairs all classes committed are allowed to mingle freely in corridors and large rooms, passing the days in idleness, and, in many cases, for want of room, they are not wholly separated at night.

To this rule the District workhouse is not an exception. Among its prisoners are unruly boys committed for some trivial offense; youths

who, under the influence of liquor, have been guilty of disorderly conduct; men and women who, in moments of passion, have been betrayed into the commission of some indiscretion set down as punishable in the ordinances, and the veteran vagrants, drunkards, and petty thieves of both sexes who are chronic offenders, and, consequently, regular inmates.

It needs no argument to show that the enforced association of these classes in idleness during imprisonment is a dangerous practice, and, so long as it is continued, society or law can truly be charged with directly contributing to the increase of crime. It is true that the penalties of violated law must be enforced, but it is equally true that the law does not and cannot contemplate that its punishments for simple misdemeanors shall thrust the often morally innocent offender into close communication and fellowship with the hardened criminal, thus exposing the impressible to a contamination which too often results in sowing the seeds for a life of crime in the future. This can be prevented to a certain extent when the new workhouse is occupied; classifying and separating the prisoners according to the grade of their offenses, but it needs a more radical cure than that.

For the simple first offenses, when the misdemeanor is of too serious a nature to be punished by fines within the means of the culprit, let his incarceration be so isolated as to approach solitary confinement, and during the long hours thus given, for even in the shortest term the average violator of municipal laws will indulge in such reflections as will not tend to encourage him to repeat the offense.

For the regular drunkards and vagrants who spend most of their time in the workhouse now, as is said above, let the law be amended, sentencing them for periods of one year and upward. Let workshops be erected, and they be compelled to labor under the severe discipline in vogue in prisons.

REFORMATORY FOR WOMEN.

The great need for a proper institution for the incarceration of women and girls who do not come absolutely within the criminal classes still exists in this community, and prompt measures to supply the want should be taken. Under date of March 6, 1876, and in my last annual report, I presented to your body my reasons for the founding of such an institution, under the charge of the District authorities, and yet maintain the opinions expressed therein.

Accompanying those documents was a table showing the periods which certain females, sentenced at various times for vagrancy, enticing prostitution, &c., had served in the workhouse during the years 1875 and 1876. As the strongest possible argument in favor of the proposed reformatory, I reproduce the table, adding the figures for the year 1877, completing an exhibit which should demand your thoughtful consideration.

Statement of periods which twenty-one females, sentenced at various times for vagrancy, enticing prostitution, &c., have served in the workhouse during the years 1875, 1876, *and* 1877.

Name.	Nativity.	Color.	Age.	Period of service.		
				1875.	1876.	1877.
				Days.	*Days.*	*Days.*
Mary Nuttrell	Maryland	White	46	330	240	210
Teresa Johnson	do	do	61	220	250	240
Maria Marino	Ireland	do	31	280	120	90
Mary Albert	do	do	41	160	210	120
Fanny Belmont	Maine	do	35	290	90	60
Bridget Welsh	Ireland	do	37	230	180	180
Julia Banks	Virginia	Colored	21	90	260	150
Mary Keenan	Ireland	White	47	240	80	150
Annie Morrison	New Jersey	do	29	190	140	300
Henrietta Bruce	Virginia	Colored	18	200	90	75
Hannah Reeves	District of Columbia	White	27	150	160	240
Mary Welsh	do	do	29	140	220	255
Mary Moriarty	Ireland	do	41	130	220	232
Jennie Corcoran	Virginia	do	31	100	217	127
Mollie Johnson	England	do	28	150	180	82
Agnes White	Ireland	do	66	170	120	223
Clara Williams	Virginia	Colored	21	20	240	225
Kate Mullen	At sea	do	33	260	40	105
Delsey Adams	Virginia	do	19	60	130	150
Nettie Sondheimer	New York	White	21	130	90	90
Kate White	District of Columbia	Colored	23	.....	197	120

The following table shows the ages of the twenty-one females included in the above statement:

TABLE OF AGES.

Under 20 years of age	2
Between 20 and 25 years of age	4
Between 25 and 30 years of age	4
Between 30 and 35 years of age	5
Between 40 and 50 years of age	4
Between 60 and 65 years of age	2
Total	21

This table shows that but two of the *habitués* are under the age of twenty, but the humiliating confession must be made that if such a reformatory were established here its management would find the demands upon its care equal to its capacity. Under the present condition of affairs, many young girls whose only safety lies in their being brought under the restraining influences which would there be thrown about them, are now permitted to sink still deeper in vice, for the reason that no proper place for their care has been provided, and thus the District of Columbia is to-day graduating prostitutes to an extent little dreamed of by those who have not access to the facts and figures, or who have not made a study of the subject. In the few cases in which efforts have been made to prevent a continuance of criminal immoral life, the girls have been sent by parents or guardians to some reformatory institutions beyond the District, but this number is lamentably small when compared with the aggregate needing such treatment.

The plan of a reformatory as previously suggested contemplates an institution so constructed and large enough to maintain a proper classification of the inmates, the older and more hardened to be subjected to penal rules in a prison department, with the *regime* so moderated by good treatment and relief from the continuous and irksome monotony of rules usually imposed, that, if the soil be not barren, the seeds of a permanent reformation may be sown.

For the younger classes let there be a division of time, embracing hours for work, for study, and for recreation, the work to consist of housekeeping, sewing, laundry-work, and such light branches of trade as will not overtask their physical strength; the studies to comprise the elements of a good English course, and their recreation such as an enlightened administration of the institution suggests. Labor and study should be compulsory, and recreation contingent upon the willing and cheerful obedience to constituted rules.

Religious instruction should form an important part in the conduct of the institution, and all the inmates impressed with the fact that upon their good or bad behavior depends their future, and that a submission to discipline is the only mode by which they can learn to govern themselves, and be fitted to again take their places in the world.

OHIO.

In several of the States schools or reformatories of this character have been established, and the reports from them are of a most gratifying character.

The annual report of the trustees of the Girls' Industrial School of Ohio shows the number of inmates at the close of the year, 203; offices, superintendent (male), matron, seven assistant matrons, seven teachers (all females), and the usual number of employés. Total expenditures, exclusive of salaries, $18,416.98. The report says:

> As facilities become more complete the domestic department approaches nearer the ideal of well-ordered housekeeping. As heretofore, each girl is required to attend school half of each day, unless necessarily absent. This, with average ability and application, will enable all to acquire, during the ordinary period of their detention, a good common-school education. Some, with superior endowments or more favorable antecedents, are accomplishing more than this without neglecting other duties, by laying the foundation for a more extensive course hereafter. Others, who have gone from the home, are making for themselves an honorable record.

NEW JERSEY.

The report of the trustees of the New Jersey Industrial School for Girls shows number of inmates, 33; number of offices, 4; annual cost, $6,439.11. The report says:

> No changes have been made in the mode of treatment of the girls, a mild though firm course of discipline having been found from experience to be the surest way of reformation. Work and duty go hand in hand, each girl taking regular turns in all the duties of housework, such as house-cleaning, care of bed-rooms, school, library, dining-room, kitchen, and laundry, the aim being to prepare each one to fill any position in a family. The hours devoted to study are occupied in those branches of education which are best adapted to their future necessities; a love for reading is promoted by allowing access to a well-selected library of books, a privilege much prized by most.
>
> A part of each day is devoted to sewing, that very important portion of each girl's education. No girl is considered fit to leave the school until she can make and keep in neat repair all her garments. * * * Letters received, either from the girls themselves or those with whom they are living, warrant the conclusion that the seed sown is bearing good fruit, and thus we are encouraged to persevere in the good work intrusted to us.

During the year nine girls were discharged from the school and three indentured.

INDIANA.

The Indiana institution, which is exclusively controlled by women, is divided into penal and reformatory classes. The cost of the institution

for the year, with 180 inmates, was $36,385.74 in both classes. The report says: "This institution can hardly be longer called an experiment. It is a triumphant success." Speaking of the peculiar disadvantages under which the inmates of the reformatory labor, it says:

> With the expiration of their stay in the institution, they will again be thrown upon the world for self-support, and it is a matter of great importance that they go out well qualified to bear an honorable part in some of the various occupations which women are called upon to fill. It can hardly be expected that the majority will ever reach very high positions in social life, but all can be taught to make themselves useful in some appropriate sphere. We regard a knowledge of cooking, housekeeping, sewing, washing, ironing, mending, &c., as indispensable for all. * * * Our chief difficulty has been to find suitable work. The work that woman can do when free is limited. The world does not lie open to her as to man. When in confinement the range of her work is much lessened.
>
> We have three grades in the selection of work:
>
> 1. The work must be such that the woman will go back to society prepared to live honestly; and it must be such that she may continue at it when discharged.
>
> 2. The work must not degrade the woman; it must be work fit for woman to do.
>
> 3. It must be as far as possible a kind of work that will not interfere with the honest working-women of Indianapolis.
>
> 4. The work must be profitable to the institution.

After giving the results of experiments and failures in various branches, the report says that three experts were brought from Troy, N. Y., to teach the inmates laundry-work, for which that city is famous, and it proved a complete success. Priding itself that the institution is entirely under the control of women, the report cites the fact that no married woman has been imprisoned whose husband has failed to visit her, and says:

> The superintendent has in cases had to invite the visit, but it has always been made. Thus the sense of utter desolation and abandonment by friends that blasts the lives of women convicts in other prisons is not felt here. It is our boast that this is so. * * * There is something in the nature of men—cowardice, sensitiveness, dread of degradation, what it may be—that holds them back from public recognition before men of connection with a woman disgraced and branded by society. A woman is a stranger to this feeling; she clings the closer oftentimes when one near her is branded. Faithful-hearted, they attend fathers, husbands, brothers, in whatever sorrows and degradations they suffer. The hand of the convict is a magnet, and holds them yet closer. All this is utterly different in men. The Almighty so made men and women, and society, law-makers, the enacting-body, should recognize the difference. A husband will visit his wife when in a woman's prison under charge of women. He knows, feels, a strengthening consciousness that at such a place he will be respected and almost praised as if for doing a manly act. At a prison for men and women under charge of men he would feel very different; so different, indeed, that he would not go at all. Herein is proof of necessity for just such an institution in every State.

HOUSES OF GOOD SHEPHERD.

In the list of women's reformatories through the country, none hold higher rank than those conducted by a sisterhood of the Roman Catholic Church and known as Houses of the Good Shepherd. As a rule they are the property of the order, but to many of them the State pays board for inmates committed, and in others contributes toward their support by regular appropriations. I have not at hand a detailed report of the workings of such an institution, but the report of the New York Board of Charities and Corrections shows that out of a total expenditure for the year ending September 30, 1876, for the Brooklyn House of the Good Shepherd, with 640 inmates, $59,935.96, the board of supervisors appropriated $14,816.07; for the New York House of the Good Shepherd, with 746 inmates, out of an expenditure of $74,949.84, the board of supervisors appropriated $17,280 23.

Of the Boston House of the Good Shepherd, the Board of State Charities in their annual report say:

This house was organized in May, 1867, incorporated March, 1870, and owes its foundation largely to Bishop Williams, who provided its first site, and supplied its early needs. It is especially devoted to the reformation of fallen girls, the reclamation of those addicted to drunkeness, the preservation of young girls peculiarly exposed to temptation, and the care of wayward and neglected children. Boys are not received. A considerable proportion of its inmates are either orphans or half-orphans, while many, still more unfortunate, are the children of bad parents. Though managed by the Sisters of the Good Shepherd, and chiefly supported by those of the Catholic faith, it knows no creed, color, or nationality in its work. It is enough to have been unfortunate and to be willing to attempt to reform.

Except in rare cases, children under ten years old are not admitted While at the institution all are obliged to conform to its rules, and during their stay none are permitted to leave the inclosure. There is no fixed period of detention, the girls being at liberty to remain as long as they or their friends desire, but, save in a few cases of incorrigible children, none depart till they are claimed by those who placed them there, or are provided with good homes or suitable situations.

Toward the cost of the structure the State made a grant of $10,000. The main building is warmed by steam, which is also used in the kitchen and laundry, and furnishes the power for sewing-machines. The sisters and inmates of the house do a great amount of work for outside parties. The whole number of girls received is over 1,000; the average monthly number of late is over 200. The institution is now so full that the utmost watchfulness is required on the part of the sisters, who are very anxious to enlarge their buildings, that they may classify the inmates and separate the younger girls from their older and more vicious companions. The average amount expended is from $18,000 to $20,000 per annum, a large part of which is realized from work done in the house.

In reply to an inquiry on the subject, addressed to Rev. J. A. Walter, pastor of Saint Patrick's Church, of this city, that gentleman says:

The sisters have houses in New York, Brooklyn, Boston, Philadelphia, Louisville, Saint Louis, New Orleans, and in most of the large cities of the United States. The sisters take charge of fallen women, children who are exposed to danger, and also orphans. No distinction is made in regard to religion. The penitents (fallen women) are kept till they have given evidence of their complete reformation, and are either returned to their friends or situations procured for them. If they desire to remain in the institution they can do so all their lifetime. Many prefer this to trusting themselves again to the temptations of the world. These are called "Magdalens," and form a separate community in the house. The class of preservation consists of girls from ten to fifteen years of age who show a disposition to lead a bad life, and are placed in the institution before they lose their virtue. They have no communication with the penitents; have separate refectory, dormitory, &c. This is a most excellent arrangement for children who are in danger of corruption of their morals.

To sum up: First, we have the sisters in charge; second, the Magdalen women, who have been reformed, and remain in the house during their lives; third, the penitents (fallen women), who remain till reformed, and are afterward returned to their friends, or situations procured for them; fourth, the class of preservation, children who have been exposed to danger, and are sent to the house to be protected in their virtue.

The houses are supported mainly by the work of the sisters and inmates. When once established and free of debt all these institutions are self-supporting. The sisters do all kinds of fine needle-work, and also fancy work. The inmates are engaged in needle-work, washing, ironing, &c.; so all contribute to the support of the house.

I have had the sisters incorporated for Washington, but have not been able to raise funds to purchase lot, &c.

We need a house here more than in any other city. If you can call to see me I will explain more fully.

The accompanying table, marked A, shows the cost of maintenance, &c., of such a reform institution as should be established in this city:

A.—*Exhibit of character, cost of maintenance, and labor performed by State reformatory and charitable institutions.*

Name of institution.	City.	State.	No. of inmates.			Cost of maintenance annually.				How balance is provided.	Character of labor of inmates.
			Male.	Female.	Total.	Salaries.	Current expenses.	Total.	Receipts for labor.		
New York House of Refuge	Randall's Island, New York.	N. Y.	.....	.....	924	$37,521 93	$129,871 75	$167,393 68	.....	State appropriations	Sewing, &c.
Industrial School for Girls	Trenton	N. J.	.....	33	33	2,478 97	3,960 14	6,439 11	.....	State appropriations	Farm, shoe-shop.
State Reform School	Pontiac	Ill.	174	.....	174	9,984 07	23,341 27	33,325 34	$8,901 07	State appropriations	Farm.
State Primary School	Monson	Mass.	128	387	515	13,728 91	41,593 72	55,322 63	16,167 72	State appropriations	Farm, shoe-shop, cane-seat chairs.
Reform School	Westborough	Mass.	370	.....	370	19,259 63	52,990 17	72,249 80	13,188 78	State, county, and farm appropriations.	Laundry, gardening.
Reformatory Institution	Indianapolis	Ind.	.....	181	181	Not stated.	19,844 69	36,384 24	1,036 88	State and county appropriations.	Farm, making chairs, carpets, &c.
Industrial Home	White Sulphur Springs.	Ohio	.....	203	203	7,500 00	32,000 00	39,500 00	.....	State appropriations	Farm, chairs, brushes.
Reform School	Hocking Hills	Ohio	537	.....	537	16,557 34	55,070 17	71,677 51	4,500 00	State appropriations	Shoes, tailor and blacksmith shop, and farm.
Reform School	Eldora	Iowa	135	30	165	10,525 88	56,920 59	67,446 47	1,084 68	State appropriations	
Reform School	Jamesburg	N. J.	198	.....	198	3,997 00	20,772 77	24,769 77	9,111 54	State appropriations	Farm, bricks, laundry, chairs.
Industrial School	Waukesha	Wis.	415	.....	415	16,454 32	31,694 17	48,148 49	3,976 51	State and county appropriations.	Brooms, shoes, knitting, &c.

For two years.

REPORTS.

Your attention is respectfully invited to the reports of the intendant, matron, and physician, which are transmitted herewith :

ESTIMATES.

In making my estimates for the ensuing year I have included, as will be seen, the sum of $4,000, which will be necessary to make certain repairs and improvements needed in the main building, and $3,000 for the erection of a new lying-in ward and office and dispensary for the hospital.

Estimates for salaries, contingent expenses, and improvements, from November 1, 1877, to November 1, 1878.

Salaries	$9,500
Groceries, marketing, beef, &c	25,640
Dry goods, clothing, and shoes	5,600
Drugs and medicines	2,780
Hardware and stoves	780
Blacksmithing	300
Lumber	1,500
Fuel	1,400
Ordinary contingent expenses	1,500
Repairs to main building	4,000
New lying-in ward and office (hospital)	3,000
Total	56,000

CONCLUSION.

To your kindness I am indebted for the position I now fill, as commissioner of the Washington Asylum, which office was given me under such circumstances that I have always regarded the appointment as but a temporary expedient for the purpose of bringing, in a manner, order out of chaos. How far I have succeeded is not for me to say; at all events it is evident that a better system, a more thorough organization, and a more humane and intelligent administration of affairs exists than at any previous time; and it is a matter of self-congratulation that a foundation has been laid upon which can be built an institution worthy of the people of a great capital.

When the government of these interests shall be provided for by the appointment of a board of charities and corrections, as repeatedly suggested by me, I shall cheerfully relinquish my present trust.

Very respectfully,

TIMOTHY LUBEY,
Commissioner.

R 1.—REPORT OF INTENDANT.

WASHINGTON ASYLUM, *November* 10, 1877.

SIR: In obedience to your directions of 1st instant, I have the honor to submit the following report of all the transactions and events which have transpired in this institution from November 15, 1876, up to date.

The Washington asylum, partly by natural growth and partly by your progressive measures, has developed during the past year into greater importance and usefulness than ever before. Its premises have been increased by an area of 300 feet square, directly south of its hospital-grounds (and between them and E street southeast), and upon this site a large four-story brick building has been erected, for the purposes of a workhouse, in which the prisoners are to be confined, separately from the poor, and workshops are to be provided, for the utilization of their labor for the benefit of the District, so as to render this institution, at least in part, self-sustaining. How far this may be accomplished is as yet difficult to say, as not only the means for the construction of this new edifice have been exhausted before its south wing could be completed, but also great impediments will arise against any systematic organization of labor, from the short and irregular duration of confinement of its inmates, during some of which it is next to impossible to teach them any trade or occupation requiring skilled labor or affording them facilities for reformation and usefulness after their release. Still, it is hoped that most of these difficulties can be overcome, and certainly much good will be realized by the mere separation of prisoners from the mere paupers as the cohabitation of these two classes in one building works injury to the latter, and in the present building, though large, causes a crowded condition of the inmates, productive of evil to both classes.

After the completion of the new workhouse, the buildings owned by this institution will afford ample capacity for the demands of the present and near future, comprising the following structures:

One large and solid brick edifice, originally intended, and soon again to be used for the almshouse alone.

One new brick building, now approaching completion, for the workhouse proper.

One brick residence, for the intendant's family.

One large frame structure, lately renewed and improved, for the purposes of a small-pox hospital.

Seven frame buildings, including kitchen and dispensary, for regular hospital uses, for the invalids of the institution, and also the indigent sick of the city.

Several outhouses, stables, and structures for diverse purposes and necessities, sufficing at least for the present demands.

But the grounds belonging to this asylum have been greatly reduced by repeated cessions of large tracts, as for the United States jail; for the city nursery of ornamental trees; the cemetery of the poor, called "potter's field," &c., and thereby have become much too limited for its present importance and unavoidable expansion, and the close proximity of its hospitals and workhouse to the powder-magazines of the United States Army and Navy, renders it desirable that Congress, ere long, shall order the removal of such dangerous material from its present location to a distant and uninhabited point, and permit the premises thus vacated to be added to the grounds of this indispensable and constantly increasing institution, the growth of which may be approximated from the following statistics:

	November, 1875.	November, 1876.	November, 1877.
ALMSHOUSE.			
Number of poor present	155	169	208
Number of poor received	456	428	
Number of poor born	20	16	
Total received	631	613	
Number of poor discharged	366	319	
Number of poor died (including deaths in hospital)	96	86	
Total lost	462	405	
Remaining in almshouse		169	208
WORKHOUSE.			
Present	150	164	152
Received	2,099	1,695	
Total received	2,249	1,859	
Prisoners discharged	2,000	1,595	
Prisoners escaped	79	108	
Prisoners died	6	4	
Total lost	2,085	1,707	
Remaining in workhouse		164	152

RECAPITULATION.

Number of poor in the almshouse November, 1877	208
Number of prisoners in the workhouse November, 1877	152
Number of officers and employés November, 1877	12
Total inmates in the institution November, 1877	372

which shows an increase over the aggregate of November, 1876, of 28 and over the aggregate of November, 1875, of 56, or of 28 each year. The daily average of rations for the past year was 304. These figures, of course, embrace *all* inmates of the asylum, and therefore also the "indigent sick," sent frequently by the sanitary authorities from the city to the hospital in a dying or at least very precarious condition, which explains the seemingly very large death-rate noted in the almshouse, as such persons cannot obtain admission except under a regular "pauper's" permit, and therefore are accounted for as such, though

perhaps never in the almshouse proper. The hospital statistics of the last year, also embracing these "indigent sick," are as follows:

REGULAR WASHINGTON ASYLUM HOSPITAL.

Present November, 1876		94
Admitted to date		565
		659
Discharged since November, 1876	483	
Died since November, 1876	93	
		576
Remaining under treatment November, 1877		83

SMALL-POX HOSPITAL.

Admitted since November, 1876		6
Discharged since November, 1876	5	
Died since November, 1876	1	
		6
Remaining under treatment November, 1877		0

In this connection it must be stated that since May 7, 1877, there was not a single case of small-pox in the hospital for that purpose, and only one death occurred of that disease since November 15, 1876.

The apparent discrepancy between the number of deaths reported in the hospital (which, of course, embraces the deaths in the almshouse) and that reported in the almshouse statistics is explained by the fact that frequently patients sent by the sanitary authorities directly to the hospital die before the permit for admission to the almshouse, by which they had to be accounted for in the latter, could be obtained, and the actual number of deaths among the permanent inmates of the latter did not exceed 15 since November 15, 1876.

The number of burials in the "potter's-field" within that period amounted to 549, and the number of corpses removed therefrom by the request of relatives or friends was 6.

The number of coffins made by inmates of this institution and furnished to the board of health was 567; those used at the asylum or its hospital were 83; on hand for immediate supply, 66; total manufactured from November 15, 1876, to date, 716. No case of "resurrection" or effort of "body-snatching" can be reported within that period.

Two ambulances, viz, one for the "indigent sick," the other for the "indigent dead," are daily at work to obey the orders of the sanitary authorities upon notice through the telegraph located in the asylum, and there is no hour, night or day, when they could not be obtained by an application to the board of health, or the sanitary officer of the police commissioners.

The digging of the graves in the "potter's-field" is done by inmates of this institution under direction of its intendant, and an accurate record is kept by him of the number of each grave, together with the name and descriptive list of its occupant.

No *post-mortem* examination is allowed against the wish of relatives or friends, and the dead-house receiving the remains until they can be deposited in their final resting-place is kept strictly clean, and under lock and key, in protection against any spoliation or desecration of the corpses while remaining therein.

The sanitary condition of the entire institution, notwithstanding its being crowded by the large number of prisoners and poor, especially

during the winter, is kept excellent by scrupulous cleanliness in all its parts, and a large number of inmates are constantly employed in cleaning the floors, whitewashing the walls, spreading disinfectants, washing and mending clothes, and in other measures of purification of the premises and their occupants.

All garments needed by either the prisoners or the poor, as well as sheets, tickings, pillow-cases, &c., are made up within the institution by inmates thereof, and with the help of two sewing-machines, which are scarcely ever at rest.

The able-bodied male prisoners are used for outdoor labor, and they are either engaged under the surveillance of overseers in the grading and filling up of streets or avenues in various parts of the city, or in making permanent improvements on or around the premises of this asylum; yet it must be acknowledged with great regret, that on rainy days, or other occasions, when outdoor employment is not admissible, there are few or no means available at present to prevent idleness indoors, and this deplorable fact creates many difficulties among the inmates, which, however, it is hoped, will be remedied by proper provisions after the completion of the new workhouse.

In this connection your attention is, therefore, called to the imperative necessity of supplying in the new building more than mere accommodations for the eating and sleeping of the prisoners, without danger of their escape, as security alone, though desirable by all means, will effect little or no lasting benefit either for them or the public interest.

Labor and judicious employment afford by far the best means of discipline and reform, besides easing the burden of the tax-payer in lessening his contributions to the support of the prisoners, and yielding, under proper management, to the latter a share in its blessings, which, however small, may benefit either their innocent families or give to themselves encouragement to return to usefulness, industry, and even morality, after being freed from restraint.

The discipline and order among the inmates of the institution, and especially among the prisoners, have been during the year just closing necessarily impaired by the crowded condition and occasional idleness of the prisoners, unavoidable under the present circumstances. Another and a serious difficulty in the enforcement of thorough discipline is the insufficient number and authority of the officers and employés of this institution; and though, in justice, I have to acknowledge the uprightness and efficiency of nearly all those at present in the service, it is manifest that they labor under great difficulties and many disadvantages in the execution of their unpleasnut and often dangerous duties. I must therefore beg leave to recommend an increase in their number and powers, as well as in their compensation, at least equal to that of other institutions of similar importanee in this country.

Religious services have been continued to be held during the past year every Sunday afternoon, and they were generally conducted gratuitously by members of the Young Men's Christian Association or other religious bodies, who deserve much credit and encouragement for their efforts to elevate the moral standard of the unfortunate inmates of this asylum.

The general health of the prisoners, as well as of the poor, excepting some permanent invalids among the latter, was much better than might be expected of persons under confinement, and the undersigned claims to have accomplished some good for the worthy poor, and for the public interest, by relieving the almshouse of more than thirty improper per-

sons who had managed to get admission under false pretenses, and were undeserving of public charity.

There have also been accomplished during the past year several material and permanent improvements in the buildings and premises of this institution, under your direction, for which you are entitled to the thanks of the inmates as well as the citizens of this District, viz:

1. The roofs and all defective parts of the main building, the intendant's residence, and the regular hospital structures have been thoroughly repaired and refitted.

2. The small-pox hospital has been overhauled and restored to an excellent condition, with a capacity for from 50 to 60 patients, and supplied with water and other new fixtures.

3. The office, reception-rooms, doctor's apartments, employés' quarters, intendant's residence, &c., have all been either refurnished or otherwise supplied with comfortable accommodations and arrangements.

4. The dining-halls of the inmates, their kitchens, heating and cooking apparatus, and other fixtures, were all put in proper order, a new force-pump, 500 feet of hose, and 60 galvanized-iron fire-buckets were provided, and tables, doors, window-shutters, hinges, locks, and all kinds of necessary appliances repaired or remodeled, as needed, and the water-closets and other sanitary arrangements for health or cleanliness were all placed in proper condition.

5. The overseers and employés were supplied with badges, batons, belts, and other necessaries, and a safe was obtained for the reception of valuables belonging to inmates, to be kept until reclaimed when free from confinement.

6. All wagons, carts, ambulances, harnesses, and implements for field or street work, as well as tools and utensils, were repaired and replenished, and all approaches to the asylum, as roads, walks, steps, fences, &c., have either been graded, drained, or otherwise improved, or are now under such process, the labor being nearly all furnished by inmates, and only the cost of the material employed being a direct expense to the District authorities.

All the goods necessary for either prisoners or poor, in the way of subsistence, as well as of clothing, tools, medicines, and other articles needed, were purchased by the intendant at regular contract-prices from the regular contractors authorized, and with few exceptions, which always were promptly corrected, these articles were supplied in due time and in good condition.

Notwithstanding this admission, it is my duty to state that the contract system, though certainly convenient and least troublesome to the bonded chief of the institution, is by no means the most economical for the District, as many articles during the year had to be paid for to the contractor at double and treble the cost-price in open market, especially in eatables.

I do not hesitate, respectfully, to recommend that the intendant's powers be enlarged in some directions, as, for instance, in the permission to drain and improve the marshes and such portions of the asylum property as are now unproductive, and to increase the live-stock of the institution by the purchase of a sufficient number of pigs, so as to utilize the very large amount of excellent garbage now daily given away, and amounting probably to 1,000 barrels per year, or more, of superior food for such animals, which might otherwise yield several thousand pounds of pork, or its equivalent in market, and result in an important feature of domestic economy, without interfering either with the handsome appearance of the premises, or their hygienic condition.

In conclusion, without further entering upon details of minor importance, I now have the honor to submit to you a full but condensed inventory of personal property on hand, which, however, does not include those articles presented to you in the reports of the physician in charge of the hospital and of the matron in care of the female portion of the almshouse and the sewing-rooms.

INVENTORY OF LIVE-STOCK.

Horses, 8; mule, 1; cow, 1; heifers, 2; bull, 1.

MEANS OF TRANSPORTATION.

Carriage, 1; market wagon, 1; dinner-wagon, 1; sick-ambulance, 1; dead-ambulance, 1; chain-gang ambulance for two horses, 1; carts for general service, 7.

STABLE UTENSILS.

Cutting-box, 1; stable-forks, 4; carriage-harness, 1; wagon-harnesses, 4; cart-harnesses, 6; brooms, 14; buckets, 4; lanterns, 2; pitchforks, 4; dung-forks, 4; curry-combs, 8; horse-brushes, 3; extra hame-woods, 2; bits, 3; reins, 3; belly-bands, 3; feed-bags, 2; fly-sheets, 2; monkey-wrench, 1; peg-cutter, 1; and numerous minor articles.

IMPLEMENTS FOR FIELD-WORK.

Hoes, 3; rakes, 7; scythes, 3; spades, 6; iron harrows, 2; cultivators, 7; plows, 3; and other second-hand implements.

TOOLS AND HARDWARE FOR STREET WORK, ETC.

Tool-chests, 2; oil-stone, 1; firmer-chisels, 6; grindstone, 1; iron vise, 1; new picks, 17; pick-handles, 24; shovels, 82; stone-hammers, 6; paving-hammer, 1; trowel, 1; cleavers, 13; axes, 3; iron crowbar, 1; tinner's furnace, 1; dirt-barrows, box barrow, 1; hedge-trimmer, 1; and divers other utensils.

CARPENTER'S AND OTHER DOMESTIC TOOLS.

Auger-bits, 8; gimlet-bits, 6; braces, 2; panel-gauge, 1; gauges, 2; side-filister, 1; bead-plane, 1; saw-set, 1; compass, 1; wood-rasp, 1; saw-files, 2; screw-drivers, 2; spoke-shave, 1; compass-saw, 1; back-saws, 2; hand-saws, 4; rip-saws, 2; hatchets, 2; claw-hammer, 1; plane-bits, 3; trestles, 4; work-benches, 3; bench-screws, 2; try-square, 1; wood-square, 1; circular transom, 1; mall and wedge, 1; hand-saw, 1; wood-saw, 1.

KITCHEN AND HOUSEHOLD HARDWARE.

Meat-cleaver, 1; brass hinges, 2 pairs; window-blinds, 4; ice-hooks, 2; tin cups, 233; basins, 40; soup-dippers, 4; tin scoops, 4; funnels, 3; small pans, 19; large pans, 7; pail, 1; skimmer, 1; tin plates, 155; churn, 1; tin horn, 1; pepper-boxes, 12; wash-tubs, 5; lamps, 6; lamps, and reflectors, 2; hall lamp, 1; coffee-mill, 1; spice-mill, 1; safe in office, 1; kitchen-safe, 1; coal-screens, 2; lime-brushes, 6; knives and forks, —; spoons, large, —; spoons, small, —; oil-can, 1; stencil sets, large, 3; stencil sets, No. 1; cold-chisels, 3; stove-brushes, 2; padlocks, 12; bind-locks, 6; scales, 4; flour-sieves, 2; cooking-range, 1; washing-range, 1; boiler, 1.

INSTRUMENTS FOR DISCIPLINE.

Badges, 12; batons, 12; belts, 6; revolvers, 2; ball and chain, 1; chains, 25; handcuffs, old, 25 pairs; handcuffs, new, 8; rivets, 12 pounds, &c.

FIXTURES IN BAKER'S KITCHEN AND FURNACE-ROOM.

Trucks, 1; raker, 1; clinker-bar, 1; pick-bars, 2; poker, 1; ash-rakers, 2; baking-pans, 36; strainers, 3; yeast-tubs, 2; small boilers, 2; dipper, 1; knife, 1; stoves, 23; grates, 11; lining for stoves, 2, &c.

SUNDRY FURNITURE AND APPARATUS, ETC.

Sixty galvanized-iron fire-buckets, 500 feet water-hose, 143 iron bedsteads, repaired; 8 old iron bedsteads, 66 coffins, 110 chairs, 4 cottage bedsteads, 4 wash-stands, 53 common stands, 3 pitchers and bowls, 1 writing-table, 21 common tables, 1 office desk, 2 office tables, 2 stretchers, 1 tobacco-cutter, 2 cases of drawers, 1 cupboard, 1 pine wardrobe, 1 blackboard, 2 sewing-machines, 1 bureau, 1 mattress, 1 force-pump, 6 wash-tubs, 29 large benches, 6 boxes, 58 chambers, 2 bread-drawers, 1 closet, 5 bread-trays, 1 anvil, 2 hammers, 9 ax-handles, 6 stove-castings, 15 boxes axle-grease, 11 papers horse-powders, 2 scrapers, 2 sets of door-fixtures, 36 new knives, 8 new forks, 7 lamp-burners, 31 lamp-chimneys, No. 1; 62 lamp-chimneys, No. 2; 12 lamp-chimneys, No. 3; 3 clothes-racks, 3 tin boilers, 10 sad-irons, 2 coal-hods, 1 coal-shovel, 5 bake-pans, 2 boilers, 2 iron pots, 3 saucepans, 1 kettle, 2 coffee-pots, 1 griddle, 72 pairs shoestrings, 1 pair lady's shoes, 1 water-cooler, 4 zinc pieces, 1 sofa, 7 hair-seat chairs, &c.

CHATTELS IN ALMSHOUSE.

Male side, white.—Thirty-four bedsteads, 34 sheets, 38 blankets, 32 pillows, 34 straw beds, 28 pillow-slips, 31 bed-spreads, and sundry stools, small tables, shelving, &c.

Colored male ward.—Thirty bedsteads, 29 blankets, 29 bed-spreads, 29 sheets, 29 bed-ticks, 25 pillow-slips, 25 pillow-cases, and divers benches, stools, &c.

Female side, both colors.—Sixty-six bedsteads, 65 mattresses, 14 feather beds, 29 feather pillows, 65 bed-spreads, 46 straw pillows, 68 sheets, 72 pillow-cases, and some minor utensils.

CHATTELS IN WORK-HOUSE.

Male department.—One hundred and thirty-six blankets, 62 straw beds

Female department.—Sixty-two blankets, 36 straw beds, besides the buckets, cups, &c.

SMALL-POX HOSPITAL.

Two large ward stoves, 4 small stoves, 12 iron bedsteads, 1 set of second-hand furniture for the nurses, 24 pairs second-hand blankets, 3 earth-closets, and minor sundries.

FUEL ON HAND.

One hundred and twenty tons furnace-coal, 3 tons small coal, 20 cords wood.

LUMBER ON HAND.

Eight hundred feet rough boards, 1 ash plank, 3,000 fence-pickets, 100 cedar posts, 1,680 feet scantlings, 18 feet timber, joists, 18 feet, and 1,700 feet planed boards.

DRY GOODS ON HAND NOT MADE UP.

Shirting, 118 yards; sheeting, 119 yards; counterpanes, 64 yards; ticking, 146 yards; cotton-wear, 48 yards; toweling, 2 pieces; buckles, 4 gross and 60 pieces; buttons, 6½ gross; cotton-spools, 9 gross; B. L. thread, 114 hanks.

SUNDRIES.

In office, doctor's rooms, &c.—Five clocks, 58 yards carpet, 58 yards matting, 25 yards canvas, 3 yards oilcloth, 2 pieces zinc, 1 telegraph-instrument, 1 hat-rack, 1 book-shelf, 1 table-cloth, &c.

In the grocery store-room.—Five and a half dozen teaspoons, 2 table-spoons, 9 combs, 13 salt-dishes, 10 tumblers, 1 caster, 40 cups and saucers, 18 spittoons, 1 meat-dish, 1 sugar-bowl, 23 small mirrors, 2 dozen tin cups, 1 dust-brush, and barrels, boxes, &c., containing groceries.

In paint-room.—One glazier's diamond, 1 putty-knife, 150 lights of glass of various dimensions, 8 pounds white lead, 8 gallons linseed oil, 10 pounds dry color, 4 paint-brushes, 5 pounds imperial green, 2 quarts turpentine, 1 paper lampblack, 5 pounds putty, 5 pounds whitening, also 1 square, 1 cleaver, 1 spirit-level, and 1 two-foot ruler.

In wash-room.—Five tubs, 7 buckets, 4 dish-pans, 2 lamps, 1 iron pot, 1 iron kettle, 4 tables, 1 ax, 2 shovels, 6 benches, 2 knives, &c.

INTENDANT'S RESIDENCE.

The inventory of this building has so recently been forwarded to you that I do not feel justified to expand the length of this report by a repetition of it, especially as it does not affect the direct condition of the institution or its inmates.

Closing herewith my first annual report I would be unjust to ignore or conceal that, whatever credit may be due to the intendant's management of this institution during the last year, I can only be entitled to the smallest share thereof because of my brief connection therewith, but for the same reason I ask for your forbearance with any shortcomings in my account of the period during which I had no opportunity of personal observation or action.

I would also fail gravely in my duty, as well as in common gratitude, should I not freely acknowledge and publicly return thanks for the never-ceasing kindness and courtesy by which the honorable Commissioners of this District, and yourself have encouraged me and facilitated my efforts in the fulfillment of my duties in the responsible and difficult position intrusted to me.

I am, sir, most respectfully, your obedient servant,

E. F. M. FAEHTZ,
Intendant Washington Asylum.

Col. TIMOTHY LUBEY,
Commissioner, &c.

REPORT OF THE MATRON.

WASHINGTON ASYLUM,
Washington, D. C., November 10, 1877.

SIR: I have the honor to report that the women who are inmates of the almshouse and the work-house, as far as they are able, have been kept employed during the past year in making and repairing clothing for the inmates of the institution, or in washing, ironing, cooking, and general housework.

During the past few months, two sewing-machines were constantly in use, and the total work accomplished by machine and hand sewing, has amounted since November 15, 1876, to 3,138 pieces. Of which there were for the work-house 622 shirts, 54 coats, 216 pairs pants, 248 bed-ticks for use in either department. For the almshouse, 403 shirts, 317 pairs drawers, 76 coats, 209 pairs pants, 73 pillowticks, 114 sheets, 194 pillow-cases, 8 towels, 48 aprons, 26 suits for children, 8 boys' suits, 15 suits infants' clothing, 99 spreads, 159 dresses, 93 skirts, 96 chemises 7 gowns, and 57 caps.

Very respectfully,

Mrs. A. M. FAEHTZ,
Matron Washington Asylum.

Col. TIMOTHY LUBEY,
Commissioner, &c.

R 2.

REPORT OF PHYSICIAN.

WASHINGTON ASYLUM HOSPITAL,
November 9, 1877.

SIR: I have the honor to submit the following annual report of the Washington Asylum Hospital for the year ending October 31, 1877.

Number of patients under treatment November 1, 1876, 94; 53 males, 41 females. Admitted during the year, 565; males, 319, females, 246; white, 267, colored, 298. Births, 18; males, 13, females, 5; white, 1, colored, 17. Discharged during the year, 483; males, 263, females, 220; white, 214, colored, 269. Deaths during the year, 93; males, 55, females, 38; white 29, colored 64; leaving in hospital October 31, 1877, 83. Number admitted in small-pox hospital during the year, 5.

Besides the sick in hospital, one of the resident physicians attends a daily call at the work-house, at which all prisoners complaining can present themselves for treatment. The inmates of the poor-house are also visited daily, and with the colored male paupers, in what are known as the "shanties," who receive medical attention as needed, make up a daily average of at least five additional patients, and add to the number of prescriptions prepared in the dispensary during the year, 1,500 or more.

The number of patients admitted, born in the District, is a little over one-fourth of the whole number. Of the colored patients, the States of Virginia and Maryland are to be credited with three-fourths. Of the whites, the District has a very small per cent.; those from other States and the foreign-born, furnishing much the largest number requiring the charitable aid of the District. These facts are suggestive. Should

not the authorities receive largely assistance from the National Legislature? There cannot be a more powerful appeal or a stronger claim upon their justice and liberality.

As occasion has required, necessary repairs have been made in the different wards, under the supervision of the intendant of the asylum, and it is a source of congratulation that we are now prepared to meet the inclemency of the winter, with tight roofs and windows, and warm, comfortable quarters for the accommodation of the sick.

During the past month the wards and the fencing around the grounds have been whitewashed by the labor of the inmates. It was a point with my predecessor, and it shall be my endeavor to keep it up, to have the grounds of the hospital inclosure in as neat and attractive a condition as our means will allow. It is, at suitable times, a source of healthy employment to such inmates as are strong enough for light labor, and should be looked upon and used as a sanitary as well as an economical means in the management of the institution.

The discipline of the hospital is kind, but strict. The conduct of patients and employés has been, almost without exception, all that could be desired, considering the number and general character of the inmates. Few cases of irregularity have occurred, and these have been promptly dealt with.

From among the convalescents, who show the most aptitude for such service, nurses have been employed, and, while not filling the requirements to be expected of well-trained and well-paid nurses, have performed their duties in a satisfactory manner; only two, since my service at the hospital commenced, having been compelled to leave on account of disorderly conduct.

We have in hospital, the year round, a class of cases which is the opprobrium of the medical attendants, and which receives but little sympathy from outside. I allude to cases of old ulcers, chronic rheumatism, and syphilis in its varied and repulsive forms. Such patients are generally past middle age, broken in health and spirits, from dissipation and poverty, and, from the nature of their diseases, rarely susceptible of speedy cure. For such, the rest and regularity of hospital life, the improved diet—often their best medicine—together with suitable remedial means, taken, in many cases, for months at a time, give them their only chance for improved health.

From our location, many infer that the various forms of malarial fever prevail in our midst. But the contrary is the fact. No case of intermittent or other form of fever, attributable to such influence, has originated in the hospital in the past four months. This immunity is mainly due to the good sanitary condition maintained among the inmates of the institution.

The small-pox hospital has been put in complete repair; painted, whitewashed, and thoroughly cleaned. Above all, a plentiful supply of water has been furnished for the use of the building. It is now, with clean and new furniture, ready for the reception of patients.

The subject of protecting the buildings against fire is a source of anxiety, and should receive attention. The means at hand, about twenty-five or thirty water-buckets, would be found of little avail, considering the inflammable material of which the wards are constructed. Fire in one would insure the destruction of all of them. Commissioner Lubey has suggested, as a means of reducing this risk, the placing of a fire-plug in the grounds, with a sufficient length of hose for any required distance.

In a former communication I urged upon the authorities the need of a separate lying-in ward for white women. I have now still greater reason to press this matter, for we have now the actual necessity of having the white and colored together. Poverty alone, as a general thing, sends the white woman from her home to the lying-in wards of charity hospitals, and it is hard that in such place *only*, *in our* hospital, she should be compelled to submit to associations which cannot be otherwise than repugnant to her, and which will have, as in all cases where the races are obliged to mingle, a demoralizing tendency.

For the erection of a new ward, similar to the white female ward, and which can be so constructed as to be made a pay ward, recommendation has already been made and is respectfully renewed.

While upon the subject of improvements, I will be pardoned, I trust, for alluding to the contracted and insufficient accommodations of the present office and dispensary. They are entirely unfitted for the purpose intended, and should be enlarged. There should also be sufficient room for a sleeping-apartment for one of the resident physicians, or a medical student, who would then be able to attend at night, when needed, with more comfort to himself and speedier relief to the sick.

The appointment of a trusty and capable man as hospital-steward, is earnestly recommended to the favorable consideration of the honorable Commissioners. It would result in many advantages to the place, especially in the care and protection of the property, in attending to the diet and the general mess, and in assisting generally about the office and dispensary. And besides, it would relieve the medical staff of many disagreeable responsibilities which have no necessary connection with their duties as medical officers.

The success of the hospital for the past year, as an institution for the relief of the indigent sick of the District, the poor of the asylum, and the prisoners of the work-house, has more than equaled that of any preceding year. This result is a source of congratulation to all interested, and with a continuation of the zealous support always extended by the authorities, its usefulness and reputation will be largely increased. To the attainment of this desirable state of affairs, the present physician in charge can lay but little claim. He found it prosperous when entering upon his duties in July. His best efforts have been, and will be, directed to keep up and advance its true interests.

To the resident physicians his warm acknowldgments are due for faithful and efficient services, and he can offer no higher evidence of his appreciation of Dr. Faulkner's usefulness in the institution than to adopt the language of the late visiting physician, Dr. Page:

> I must here add that its present success and effective condition are largely due to the high order and ability of Dr. Faulkner, and his indefatigable and intelligent efforts in behalf of the well-being of the place.

Dr. Hazen has earned the same good mention, by his ability and zeal in all matters connected with the management of the hospital.

Respectfully, your obedient servant,

JNO. I. DYER, M. D.,
Visiting Physician Washington Asylum.

Col. T. LUBEY,
Commissioner Washington Asylum.

Death statistics.

Cause of death.	White.	Colored.	Total.	Cause of death.	White.	Colored.	Total.
Pneumonia	3	1	4	Marasmus	...	4	4
Phthisis pulmonalis	5	13	18	Cerebral hemorrhage	1	1	2
Scrofula	...	1	1	Caries of femur	....	1	1
Gastro-enteritis	1	....	1	Heart-disease	....	3	3
Apoplexy	1	....	1	Atelectasis pulmonum	....	2	2
Senile debility	5	20	25	Epilepsy	1	....	1
Paraplegia	....	2	2	Cystitis, chronic	1	....	1
Convulsions	....	2	2	Tertiary syphilis	....	1	1
Variola, confluent	....	1	1	Hæmoptysis	....	2	2
Typhoid fever	2	1	3	Asthenia	....	1	1
Pericarditis	1	....	1	Uræmia	1	....	1
Cerebritis, acute	2	....	2	Unknown	....	1	1
Enteritis	1	...	1	Spinal meningitis	....	1	1
Carditis, acute	...	1	1	Dysentery, acute	....	1	1
Rheumatism, chronic	1	1	2	Paralysis	1	....	1
Hypertrophy of heart	1	...	1				
Ascites	1	1	2	Total	29	64	93
Inanition	2	2	2				

R 3.

INDUSTRIAL HOME SCHOOL.

GENTLEMEN: We have the honor to submit herewith, on behalf of the board of managers, the thirteenth annual report of the Industrial Home School of the District of Columbia, for the year ending October 29, 1877, and earnestly solicit your thoughtful consideration of the same.

REPORT.

Gladstone says, "the only eloquence worth anything is repetition." That being so, we are very eloquent, for we have never ceased to reiterate appeals for money and facilities to train poor, helpless, and neglected children into the way of becoming useful and industrious citizens.

Every child preserved from a life of crime and pauperism adds so much to the productive forces of society, and so lessens public burdens while at the same time increasing national welfare.

An eminent citizen of our country has said—

> That no law is more fraught with wisdom than that which is based upon the idea that it is better to train the youthful mind to usefulness than to support the aged criminal, and no effort in political economy is of more practical value than that which transforms a fruitful source of taxation into a source of revenue, the pauper into a tax-paying citizen.

The primary object of all efforts of the board of managers of the Industrial Home School has ever been to *prevent* pauperism and crime, by providing a home for neglected, impoverished, and helpless children, where, while being instructed, they can also be trained to and taught different branches of industry wherewith, when arriving at adult age, they shall be able to earn an honest livelihood, and become useful members of society.

In the able report of 1875 of the commissioner of the Washington asylum he earnestly deprecates the necessity of children being inmates of the work-house, and with a view to obviate this to some extent, it was a step decidedly forward in true economy and wise administration on the part of the honorable Commissioners of the District to set apart the use of the Georgetown asylum for purposes of an industrial school,

where children of the unfortunate or depraved could be properly provided for apart from the baneful influences referred to by Commissioner Lubey, or leave them to struggle for life in squalid hovels or dens of infamy, and forcing them to obtain a precarious living by begging and pilfering, becoming, like their parents, candidates for support at some reformatory institution.

On page 84 of the Attorney-General's report to the first session of the Forty-Fourth Congress (Ex. Doc. No. 14), the esteemed president of the Reform School of the District of Columbia, speaking of the tendency to crime from enforced association with it, makes the alas! too true and painful statement:

> Frequent applications are being refused, and boys sentenced by the courts are sent to the common jail (for want of room in the Reform School), where they herd and mingle together with confirmed criminals, and soon become hardened and callous to good influences, and, when released, are ripe for other and worse crimes, and descending the downward grade of vice and crime, soon reach the penitentiary or a worse end.

Furthermore, in this instructive report, President Bailey (in regard to the wisdom of preventing crime) speaks in a manner entitling his words to receive the favorable attention of every thoughtful legislator. He says:

> Money cannot be appropriated to a more humane and beneficial purpose than to the prevention of crime, and if the amount now asked of Congress for the Reform School should be the means of removing youths, who have taken the first downward step, from influences of evil companions and their bad example, and make them useful and honored members of society, it will be money well spent.

And so it will assuredly be; but how forcible an argument for the proper maintenance of an industrial school for the poor, neglected, and abandoned children of this District, whose "first downward step" can, by such an institution, be prevented!

Enlarge, by all means, if necessary, the capacity and facilities of reformatories, their good work will in time prevent the necessity of enlarging your penitentiaries and jails; but at the same time, do not neglect to establish on a secure footing some system of industrial training for the innocent children of the poor, the unfortunate or depraved. Supplement the system of public schools, which offers to such children mental training only by providing for them beneficent homes apart from all taint of the trespasser—homes where sheltering arms will guard them from the first downward step, and rear them to a career of usefulness and honor.

Look at the inmates of our almshouses and reformatories, our workhouses and prisons.

They are certainly amply fed, and comfortably clothed and sheltered, while on every hand arises from the haunts of the impoverished the cry of the ragged, yet innocent, for bread. Is it a wonder, then, that petty crimes are on the increase among the young, when no door is open to unfortun ate, neglected, and maltreated youth, except that where crim e secures food, shelter, and protection?

Will the capital of the nation, while taxing itself to provide for the indigent and criminal, neglect to provide and apply the well recognized preventive of indigence and crime, "industrial training of poor and neglected youth."

The Commissioner of Education, Hon. John Eaton, in his highly interesting report of 1871, page 31, well defines the class of children for whom municipal provision should be made, the absence of which, in this community, the Industrial Home School of the District of Columbia has sought to supply.

Mr. Eaton, in speaking of the well-known Massachusetts truant law of 1870, says:

> The class of children to whom this law applies is one not guilty of any offense; they are children suffering simply from *neglect*, in circumstances exposing them to ignorance and crime. The law is designed to come to their relief, not to punish or *reform* them, but to give them the nurture, care, and education of a home and a school.
>
> It is a beneficent provision, intended *not* for *sinners*, but for the *sinned against*.
>
> It seems an incongruity, therefore, that this class of children should be placed in an institution having the character of a *penal reformatory*, however good it may be of its class.

The scope of the Industrial Home School is, therefore, one which must necessarily not only commend itself to the charitable, but more especially so to the tax-payer and thoughtful legislator.

Its efforts are directed in the line of wise government, providing, as it does, a comparatively inexpensive *preventive*, calculated to result advantageously to the community, for that which would otherwise assuredly necessitate an expensive corrective and effect no cure. To secure the fullest measure of a preventive of ignorance and crime in this community, it will be advisable to have laws enacted for the protection of children from the abuse of unfit guardians, indigent, depraved, and brutal parents, such as exist in several States, among others, New York. (See laws of 1851, ch. 332, pp. 1, 9, and 13, as amended 1854, ch. 337, and 1866, ch. 245.)

The enactment of laws of similar import we would, in this connection, earnestly urge upon your attention.

The experience of other communities abundantly verifies the utility of such measures to assist institutions of a character like the Industrial Home School in its laudable work.

Primarily, however, such an institution should receive quite as liberal material support from the government of the District as is accorded to the almshouse proper and to the reformatory for boys, in the absence, however, of any provision of law for the proper support of the Industrial Home School.

We respectfully pray your honorable body to commend to Congress the enactment of a law similar to that existing in several States for like purposes, and analogous to the act of Congress of May 3, 1876, which requires the District of Columbia to pay to the board of trustees of the Reform School $2 per week for the maintenance of each inmate.

This amount of $2 per week is paid for like services, among others, by the State of New York, to the managers of the Susquehanna Valley Home at Binghamton, where the State purchased land and erected the requisite buildings for an industrial home (similar to the one we conduct) for the children of the poor and depraved of nine counties.

While the $2 per week, as has been the case in Binghamton, might not prove adequate to meet the demands for clothing, provisions, requisite tools, implements, and other contingencies constantly arising, nevertheless strict economy, intelligent management, and some assistance from the charitable will, according to our plan of operations, suffice to carry on the institution successfully, provided we have the requisite buildings for mechanical and industrial purposes erected on the grounds of the home, which are the property of the District.

As we are at present situated, we have the steam-engine and other machinery donated to us by act of Congress in June, 1871, in a rented building more than a mile distant from the home, causing us (in addition to an annual rental of $250) the loss of much valuable time, and are in no wise afforded the requisite facilities for proper instruction in mechanical and other arts.

We therefore respectfully request that your honorable body will strongly support our renewed earnest appeal to Congress for an appropriation of $10,000, for the purpose of erecting a suitable building for work-shops in conformity with plans submitted; the appropriation of said amount having been recommended by the honorable Committee of the District of Columbia (House of Representatives) in June of last year, and subsequently passed the House, but owing to some misunderstanding failed of its passage in the Senate.

The erection of such work-shops, where both boys and girls are practically taught the elementary branches of an industrial training, is becoming a wide-spread and seriously-felt necessity, as the various trades-unions in the great centers of population so limit the number of apprentices that the larger portion of youth is virtually debarred from becoming skilled laborers.

Nevertheless, some manage to acquire (when older) a smattering knowledge of a trade, and boldly proclaim themselves mechanics as opportunity offers, but the great mass grow up and swell the ranks of unskilled labor, tramps, and vagabonds.

Is it, then, a wonder that really competent workmen are daily growing scarcer, and the host of the impoverished, indigent, and evil-disposed is increasing? Is it not time that the State should seek to *prevent* this increase of the great throng of non-producers, by providing for the great mass of youth of the country rather more of an *industrial education* than simply intellectual training?

Only recently one of our most esteemed statesmen, speaking upon this subject, related that after having been favored by his eminent father with all the advantages of a most liberal education, he found to his dismay upon arriving at adult age that he was wholly deficient in the one thing most needful of all, viz, some profession, trade, or occupation, wherewith to earn a support for himself. He at once applied himself to the study of law, as a means in the future to secure a livelihood.

But the great mass of our youth are not so favored that, arriving at adult age, they can spend several additional years in acquiring the means of support; and the present public-school system, despite of its apparent perfection, is to a great extent doing the same for the children of that large class, the working-people, that this eminent statesman did for his son, confining their education to intellectual training, and neglecting to give them that equally important element of success in life, the means *wherewith* to *earn a living*.

A distinguished journalist of Boston well recognizes this in a recent article. Treating upon the subject, he says:

> It is because, while trusting to our mechanical and industrial prosperity, we send out our boys and girls from our public schools totally disqualified to engage in either branch, except as beginners and bunglers. The most precious years of life are thus wasted for the young, and the productions of the State are of course not advanced in their value.
>
> We have followed classical traditions in purely popular matters, and undertaken to establish a public-school system that leads up to the university rather than *out into the world and a life of self-help and usefulness*. At last the results of this system force us to turn back and seriously consider whether elementary education ought to be so completely dissevered from all ideas of *use*.
>
> The three hundred thousand children in this State, who are to become the staple and tissue of its continued prosperity, should be regarded as something more than a three hundred thousand memorizing power, with fluency in the repetition of phrases that drop from their tongues without any special relation to their unfolding minds.
>
> Look at this matter as we will, it all resolves itself into the simple question of object-teaching. The book is of small account by the side of the real object that *conveys ideas* which the book fails even to suggest.

The State schools its children theoretically, that they may be able to make good and useful citizens. Obviously, then, the thing for the State to do is to introduce into such a school system instruction in matters that pertain directly and at the start to the opening life of its children.

Out of three hundred thousand children a very few hundred will ever reach the level of a liberal education, and these chiefly by the concurrence of circumstances for which they are not themselves responsible.

The technical can be so far introduced into public instruction that the real advancement and elevation of all will be more vastly secure for *first* having at *their hands the means of providing for physical necessities.*

If, then, industrial schools are so needed for those able to avail themselves of the privilege of the public schools, how much more are they needed for the poor and neglected children of a community, who are to a great extent or entirely debarred from attending any other than just such institutions as we have labored so long to maintain one in the District.

Give us the means, then, to practically illustrate the advantageous results of industrial training among the most necessitous class of children, and at no distant day, with continued support, we will be enabled to afford an opportunity to the more favored children of the community to attain the means of self-support, by opening also to them courses of practically acquiring the knowledge of agricultural and industrial pursuits; for, when once established upon a secure basis, our shops and gardens, our work-rooms and fields, to the extent of their capacity, would stand open to every child in the District conforming to the rules of admission.

Careful observation has convinced every thoughtful citizen and far-seeing statesman that industrial schools, such as we refer to and aim firmly to establish in the District, are no longer an experiment, but constitute a well-recognized preventive of pauperism and crime.

We therefore deem it but a duty to tax-payers and the community at large to urge that the usefulness of the Industrial Home School of the District of Columbia be extended, and that, like other public institutions, it be placed by law under the immediate supervision of the authorities of the District. With its present extremely limited resources, its sphere of usefulness is necessarily circumscribed to an extent far less than the demand made upon it.

We earnestly ask you, then, gentlemen, to assist us in our efforts to prevent, by proper training, evil tendencies among poor and abandoned children, so that our reform-schools may not be called upon to correct what to so great an extent is simply the result of neglect. Assist us, gentlemen, we pray you, to apply the "ounce of prevention" in place of entailing upon the community the burdensome "pound of cure."

The necessities of the times press hard upon us to save the neglected from *entering* upon the path to ruin; to give these waifs of society requisite instruction in the ordinary branches of education as taught in the public schools, but at the same time bearing well in mind that the children who come into our charge must of necessity be practically taught the means of self-support, and, as far as lies in our power, made good and useful citizens. That we have earnestly labored to attain this end, our work, we believe, best testifies, and we submit to you the accompanying papers as evidence of our efforts.

The failure to receive our usual apportionment from the market-house fund, the great stress of the times necessarily largely increasing the number of inmates, despite of our admitting only the most pressing cases, together with the low prices affixed for shop-work done for the District, has not only entirely depleted our treasury, and seriously crip-

pled our operations, but compelled us heavily to draw upon the indulgence and good-will of those furnishing us with supplies.

We confidently hope, however, at an early day, that an equitable allowance from the market-house fund will be accorded us, and this, in connection with the manufactured articles and material on hand, will liquidate existing indebtedness necessarily incurred for materials required in the shop, and provisions and clothing requisite to feed and clothe so many destitute.

In conclusion, we thank the friends who have aided us, the merchants and others, who have borne with us in our trials and efforts.

We express our high appreciation of the interest manifested in this institution by the commissioner of the Washington Asylum, Col. Timothy Lubey, and likewise for the friendly co-operation of the intendant, E. F. M. Faehtz, esq. And to you, gentlemen, the honorable Commissioners of the District, we feel grateful for the uniform courtesy and encouragement extended to us in our labor of love, feeling confident that had it been in your power you would have cheerfully supplemented the same directly with all requisite material aid.

JOHN HITZ,
President.
H. W. BLACKFORD,
Secretary.

The Hon. COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

A.

Treasurer's report for the year ending October 29, 1877.

Receipts.

Balance brought forward, October 29, 1876		$213 94
Earnings of the shop—		
Sundry articles manufactured and repaired	$32 00	
Tree-boxes and stakes furnished parking commission	7,244 50	
		7,276 50
Earnings of the Home for Maintenance of Paupers		1,556 05
Proceeds of sales from products of the garden		153 77
Donation of new clothing		195 54
W. W. Corcoran's annual donation		25 00
Mrs. M. H. Doolittle	$10 00	
Mr. Albert Gleason	10 00	
Mrs. J. Webb	5 00	
Miss Webb	1 00	
		26 00
Sundry annual subscriptions (collections)		28 60
Total receipts		9,475 40

Disbursements.

For account of shop—		
For rent	$210 00	
Wages of foreman	660 00	
Subcontractor for—		
Tree-boxes	612 00	
Hardware	220 64	
Lumber	4,386 00	
		$6,088 64

For account of Home—		
For bread	$496, 08	
For meat	332 04	
For groceries	874 79	
For dry goods and clothing	491 87	
For hats and shoes	203 90	
For coal and wood	175 00	
Mattresses, bedding, &c	41 10	
Maintenance of W. Reynolds	94 50	
Seeds and tools	28 38	
Sundries	179 47	
Wages of laundress and servant	80 00	
Salary of matron and superintendent	379 92	
		$3, 377 05
		$9, 465 69
Cash on hand		9 71

M. N. BURKEY,
Treasurer.

The MANAGERS OF THE INDUSTRIAL HOME SCHOOL.

B.

REPORT OF THE SUPERINTENDENT AND MATRON OF THE HOME FOR THE YEAR ENDING OCTOBER 29, 1877.

We have reason to congratulate ourselves at the close of the decade on the good accomplished.

When we assumed charge of the home, September 16, 1867, there were 21 children registered as inmates (20 boys and 1 girl).

During the past year 58 children were provided for at the home, and at the close of the year 39 are on our register (29 boys and 10 girls).

Since the organization of the institution our records show that 540 of these waifs (exclusive of numerous children who at one time attended day-school) have been provided for by the sheltering arms of the institution. Of those with us during the past year there is 1 of whose parentage nothing is known; 9 are orphans; 24 have mothers living, who have abandoned them or were unable to provide for them; 10 have fathers living, who abandoned them; 14 have both parents, either invalid, dissipated, or living apart. Eight of the children were of German parentage, 19 Irish, and 30 American, nearly all of whom are natives of the District of Columbia.

Of the larger boys, 10 have worked at the shop at different times, whereof 5, having attained the age of 16 years, were provided with homes in the country, or otherwise secured suitable employment.

The older girls assist in housework and are taught sewing. All the latter, however, attend, through the kind invitation of the teacher, Miss Rosa Nourse, an adjacent private school; while the boys, excepting such as from time to time are required in the shop or garden, attend the public schools of Georgetown, and, to judge from their reports, do credit to themselves and their teachers. Fourteen children have been restored to their parents, guardians, or friends, upon satisfactory evidence being given that they would receive proper treatment.

One bright little boy, heretofore a helpless cripple, has been sent by your directions to a surgical institute for treatment, and recent advices indicate that proper use of his limbs may be expected at an early day.

On the whole, the health of the children has been excellent; better than it must have been in some of the haunts formerly inhabited by them.

No deaths from sickness have occurred at the institution since its foundation (twelve years ago), and the doctor's calls have, therefore, like angels' visits, been "few and far between." The children all seem to love the home, to be happy, are obedient, and are as well-behaved as can be expected. Their diet is simple but ample, and their clothing plain but durable.

It may well be surmised that so many children require a great deal of care and attention and labor; but when good results, such as evinced on the faces of those under our charge, the weight of responsibility is greatly lightened.

The mending done for the institution has been enormous. In addition to some fifty boys' suits and sundry under-clothes purchased by the managers, the matron, and such girls as could assist her, has made no less than 334 garments for the inmates, requiring 595 yards of cotton, 216 yards of calico, 20 yards of gingham, 65 yards of bed-ticking, 39 yards of cotton flannel, 110 yards of linen, 20 yards of domestic goods, 30 yards of striped cotton, 13 yards of blue cotton, 43 yards of cloth cassinet, 6 gross of shoe-strings, 6 papers of needles and pins, 54 dozen boxes buttons, 177 spools of cotton.

The garden has been unusually productive, and has enabled us to supply the inmates with an abundance of vegetables during the past summer, with a good prospect of an ample supply for the winter. The two cows on the place have furnished the children with sufficient milk.

What we pressingly need is one good horse to do the plowing and haul our wagon to town, in place of the two old decrepit mules on the place. Had we such, it would greatly facilitate our garden and farming operations, as also enable us to increase the production. Despite of the drawbacks experienced in this respect, we have, nevertheless, in addition to furnishing the inmates abundantly with vegetables, sold such to an amount aggregating $153.71.

We propose to pay some attention, also, to small fruits, and have already several hundred fine plants of Lawton blackberries in thriving condition.

During the year we have, without charge to the government, other than for lumber, also faced the eastern and southern, as also a portion of the northern boundary of the farm with a substantial post and board fence.

Our heating and cooking facilities on the place are not of the best, and necessitate the consuming of twenty tons of coal and fifteen cords of pine wood during the year, or more than better economic conveniences would have demanded.

Through the liberality of W. W. Corcoran, esq., we were enabled to give the inmates of the institution a bountiful Christmas dinner, which was gratefully enjoyed by all participants; and on the 4th of July last some kind friends delighted the children with a display of fire-works. It affords us pleasure to state that the aged and crippled paupers placed in our charge have conducted themselves in a becoming manner, and appear grateful to the commissioner of the asylum for the privilege of remaining at the home.

In conclusion, we would call attention to the eastern wall of the home building, which during the past year has been settling to such an extent as to cause a number of alarming fissures. Upon examination, the inspector of buildings had several props put in place temporarily to prevent disaster; but the whole eastern wall should (for the safety of the

building and its inmates) be taken down and rebuilt at the earliest practicable moment.

JOHN H. NEWMAN,
Superintendent.
M. NEWMAN,
Matron.

The BOARD OF MANAGERS OF THE INDUSTRIAL HOME SCHOOL.

C.

REPORT OF THE FOREMAN OF THE SHOP FOR THE YEAR ENDING OCTOBER 29, 1877.

The past year has been one of more than usual activity in the shop, owing to the increased demand for tree-boxes and stakes by the parking commission; but owing to the greatly reduced prices at which we had to furnish these articles, the profits of their manufacture were reduced to such a pittance that, were it not for the decided advantage of being able to purchase our lumber by the cargo and enjoying unusual facilities of manufacturing such articles, the furnishing of tree-boxes and stakes would have proved an actual loss.

Ten boys have, at various times, worked in the shop during the year, aggregating 1,100 day's work. They have, with little exception, been obedient, faithful, and industrious.

During the year just closed, we have turned out the following work 11,150 tree-boxes; 49,153 tree-stakes; 5,295 tree-box strips; 1,000 tree box frames; 100 mop-handles; 6 cedar hitching-posts; 2 tables; besides doing sundry repairs, wire-work, &c.

We have on hand the following manufactured articles, machinery, tools, and lumber: 2,100 tree-boxes; 1,000 tree-box frames; 3,500 pine tree-stakes; 25,000 strips for tree-boxes; 21 tables, assorted sizes; 18 side-boards; 5 wash-stands; 4 hitching-posts; 21 cornice-brackets; 1 boiler and 8-horse-power engine; 2 turning-lathes and 2 sets of turning-chisels; 1 rip-saw and extra saw-plate; 1 molding machine, 2 spindles; 3 cutters; 1 tenon machine; 4 extra cutters; 1 mortising-machine and 2 chisels; 1 scroll-saw and extra blade; 2 work-benches; 2 grind stones; 1 slip stone; 2 jack-planes; 2 smoothing-planes; 2 joiners' planes; 3 hand-saws; 2 hatchets; 2 hammers; together with 18 small tools and 1 keg of nails; 4,000 feet of poplar and ash, and 4 cedar posts.

I would call attention to the necessity of having, at an early day, the smoke-stack of the boiler and furnace renewed.

Before closing this report, I would suggest that boys not inmates of the home be admitted to the shop a certain number of hours each day, with a view to teach them the use of tools, provided they come well recommended by the principals of grammar-schools or trustees of public schools.

A. REMY,
Foreman.

The MANAGERS OF THE INDUSTRIAL HOME SCHOOL.

S.—IMPROVEMENT OF THE HARBOR OF WASHINGTON AND GEORGETOWN, D. C.

To the honorable Commissioners of the District of Columbia:

GENTLEMEN: The general and permanent improvement of the harbors of Washington and Georgetown has engaged the attention of Congress for several years. Under an act approved March 5, 1872, to which reference is respectfully made (paper No. 1), a board of survey was appointed, consisting of Brig. Gen. A. A. Humphreys, Chief of Engineers United States Army, president; Benjamin Peirce, Superintendent Coast Survey; Maj. O. E. Babcock, United States Engineers; Henry D. Cooke, governor District of Columbia; Alexander R. Shepherd, vice-president board of public works, and Carlile P. Patterson, hydrographic inspector, United States Coast Survey. After an examination of the subject, an elaborate report was made and approved by the board December 12, 1872 (paper No. 1, page 17). The plan recommended the expenditure of $6,050,000 (page 14).

Subsequent reports have been made by the Chief of Engineers to the Secretary of War, wherein it is stated that important results of a permanent character might be accomplished by an appropriation of $686,000 (appendix to annual report of the Chief of Engineers for 1876, No. 2, page 9).

OBSTRUCTIONS TO NAVIGATION.

The channel of the Potomac River terminates practically at the Aqueduct Bridge at Georgetown, where is located a custom-house and the point of entrance of the Chesapeake and Ohio Canal into the river. The Washington and Georgetown channel is obstructed by a *bar*, which has been largely increased by the Long Bridge. The effect of this artificial structure upon the flood and ebb tides and the currents in times of freshets accelerates the deposits on the bar, and where there were, before the existence of this work, 12 feet at low water, there are now but 10½ feet, which gives about 14 feet at high water.

The effect of competition in trade has necessitated the employment of vessels of much greater draught of water than were used before the development of the coal-trade by canal. In 1874 the obstruction to trade and navigation, by reason of the condition of the channel, was so great that trading and coasting vessels were measurably driven from Washington and Georgetown. Congress then made an appropriation of $50,000 to remove the bar to a depth of 17 feet at low water, and the effect was made apparent by the number and larger class of vessels which loaded at the city and Georgetown wharves. The duration of the improvement, as predicted by the engineer, was temporary, and in three years the channel has reverted to its prior condition.

The engineer reported that the same work must be repeated every three years until the plan of the board for the permanent improvement of the harbor was practically completed. In order, therefore, to foster the important interests of navigation, two alternatives are offered: either an appropriation of about $50,000 should be made for every three years, or Congress should begin to carry out the plan of permanent improvement as recommended by the board in 1872.

It is proper to state here that, while the triennial appropriation would benefit particularly the trade which is connected with the Cumberland coal-mines, the plan of the board had a much wider scope and contemplated the formation of a harbor adequate to the present and future wants of the capital of a great nation.

TRADE TO BE BENEFITED.

As the Cumberland coal-trade by the Chesapeake and Ohio Canal is largely dependent on the improvement of navigation, we beg here to call your attention to some hastily-gathered statistics relating to this important business (paper No. 3). This coal is remarkably well adapted to manufacturing purposes, and is largely used by ocean steamships, and is shipped from Washington and Georgetown to Boston, New York, Philadelphia, and other eastern ports; also to California and the British Provinces, requiring about fifteen hundred sail of vessels annually. Hence is apparent the great necessity of a channel of sufficient depth for a class of large vessels.

It is just to mention the fact that, during the ice-gorge of last winter, caused by the Long Bridge obstruction, the *bar* was so largely increased that, but for the contributions of coal companies and citizens of the District whereby the shoalest portions have been dredged out, navigation would have been restricted to vessels of light draught, and the business of the ports reduced to a comparatively small volume. But, while the partial relief thus obtained may enable the trade to struggle through the present year, it is evident, to retain the business so advantageous to the District, a dredging similar to that of 1874 and 1875 is required.

While millions of dollars have been annually appropriated by Congress for the rivers and harbors of other parts of the country, Washington and Georgetown Harbors, within the District, in full view of the Capitol, have been practically neglected.

Having no representative in Congress, all efforts by petitions, by committees, and by personal appeals have been of no avail. We are constrained, therefore, to invoke most respectfully and earnestly your cooperation in obtaining from Congress, through the recommendation of the honorable Secretary of War, an appropriation to carry out the plan suggested by the Chief of Engineers in his report for 1876, or an appropriation of $50,000, to be expended by the Engineer Department of the government, within the period of three years, in such manner as may be deemed best.

A. P. GORMAN, *President Chesapeake and Ohio Canal Company.*
HAMPSHIRE AND BALTIMORE COAL COMPANY,
Per J. GEORGE REPPLIER,
President, New York.
CHAS. S. ENGLISH,
Collector of Customs, Georgetown, D. C.
SAM. BAWN,
President of Inland and Seaboard Coasting Company,
Washington and Georgetown, D. C.
A. PRUSO PRAY,
President Merchants' Exchange, Georgetown, D. C.
MARYLAND COAL COMPANY,
Per HENRY LOVERIDGE,
President, New York.
CONSOLIDATION COAL COMPANY,
By CHAS. F. MAYER,
President, Baltimore, Md.
BORDEN MINING COMPANY,
Per WM. BORDEN,
President, New York.
AMERICAN COAL COMPANY,
Per GARDNER P. LLOYD,
President, Alexandria, Va.
GEORGETOWN, D. C., *April* 30, 1877.

S 1.

OFFICE OF THE COMMISSIONERS OF THE
DISTRICT OF COLUMBIA,
Washington, October 26, 1877.

SIR: In the report of the board of survey created by the act of Congress of March 5, 1872, Captain Patterson submitted a plan for the improvement of the harbors of Washington and Georgetown, which was approved by the board. To carry it out would require an estimated appropriation of $6,050,000. The large amount asked for doubtless contributed to prevent the report receiving the favorable consideration of Congress. Several plans have been submitted to Congress for the improvement of the Potomac River, one for a small channel running along the Washington front through the flats south of the President's House, and terminating in a deeper channel at a point below the Long Bridge.

Such a channel, while not suggestive of a general improvement, might be productive of beneficial results. It has also been proposed to have but one main channel, of sufficient width and depth for present and future purposes, running from the aqueduct, at the head of tide-water, Georgetown, to Giesborough Point, just below the Long Bridge. Such a channel for commercial purposes, with capacity for steam-frigates and other war-vessels to the United States navy-yard, would, in the necessary excavation, reclaim, to a considerable extent, some of the flats immediately south of the President's grounds. These flats have been recently increased by the abandonment of the use of the Chesapeake and Ohio Canal, still unfilled, through the western portion of the city, augmenting, it is thought, the development of malaria. A subsequent report of T. T. Abert, United States engineer in charge of the "improvement of rivers and harbors in the District of Columbia," embraced in the Chief Engineer's report to the Secretary of War for 1876, states important and permanent results may be accomplished by an appropriation of $686,000 for the improvement of the Potomac River at Easby's Point, and dredging between that point and deep water below. We venture to commend the subject to your careful consideration, and trust you may find it consistent with your sense of duty to recommend to Congress the appropriation of such sums as may be necessary for the improvement of the river, and also for reclamation of the flats in front of the President's grounds, the Navy and Treasury Departments, to be expended by the War Department. A copy of a letter addressed to us on April 30, last, signed by the president of the Chesapeake and Ohio Canal Company, and others interested, is respectfully submitted. It has been estimated that about 455 acres of land, advantageously located for government and harbor purposes, may be reclaimed from the flats. We are sure you will promote the public interests by inviting the prompt and favorable consideration of Congress to the subject of this communication, and urging suitable appropriations therefor.

W. DENNISON,
S. L. PHELPS,
THOS. B. BRYAN,
Commissioners District Columbia.

HON. GEO. W. MCCRARY,
Secretary of War.

S 2.

WAR DEPARTMENT,
Washington City, November 8, 1877.

GENTLEMEN: Referring to your letter of the 26th ultimo, relative to the improvement of the navigation of the Potomac River and the harbors of Washington and Georgetown, I beg to invite your attention to the inclosed report of the Chief of Engineers, from which you will perceive that this subject has received the consideration of that officer in his last annual report, which will be embraced in my report to Congress when that body convenes in regular session in December next.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The Hon. COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., November 6, 1877.

SIR: I have to acknowledge the reference to this office for report of the letter of the Commissioners of the District of Columbia, dated October 26 last, in relation to the improvement of the harbors of Washington and Georgetown, and beg leave to state that, in conformity to the requirements of "an act to provide for the survey of the harbor and river at Washington, D. C.," approved March 5, 1872, the board of survey created thereby, after an elaborate investigation of the subject, submitted, in December, 1872, a full and comprehensive plan for opening, improving, and developing the water-channel so as to secure the best possible harbor facilities along the entire water-front of the cities of Washington and Georgetown to the head of tide-water. The board also considered, in connection therewith, the feasibility of reclaiming the swamp and marsh lands along said water-front and its sanitary effect upon the city of Washington.

The plan recommended by the board was—

> To have but one channel of sufficient with and depth for all purposes; a direct continuation of the river at Georgetown, to run along the right bank of the river as far down as Gravelly Point, and thence directly toward Giesborough Point on the left bank, joining the deep channel of the river at that point, following nearly the present main channel of the river.

This plan "reclaims all the flats and advances the city front directly to the edge of the harbor-channel, affords abundant frontage, about 37,000 feet, exclusive of piers, wharves," &c., "and gives about 455 acres of land most advantageously located for government purposes."

This plan contemplated a depth of 23 feet below mean low water, and its total estimated cost was placed at $6,050,000, which, by the adoption of ordinary crib-work and reducing the cost of dredging in Anacostia channel, and moving the navy-yard to the proposed locality, would be reduced to $4,412,000.

The board states that—

> The time required for the execution of all the work, excepting the side-excavations, which are not of immediate necessity, will be four years, provided an adequate appropriation is made at first, to allow the construction of a proper number of the best machines and a sufficient quantity of the best materials to be procured. This preliminiary work will require a full year, and the first appropriation should not be less than $2,000,000, with a certain assurance that sufficient appropriations will be made to finish the work in the time specified.

The House Committee for the District of Columbia had the report

before them and examined into the matter, but Congress made no appropriation adequate to its commencement.

The river and harbor act of March 3, 1873, contained an appropriation of $50,000, which, being entirely insufficient to commence any permanent plan of improvement, was applied to dredging in the Virginia or principal channel to a depth of 14 feet at low water, and removing rocks in Georgetown Harbor, the main idea in its application being to effect an immediate benefit to commerce, while conforming, as far as practicable, to the plan of improvement recommended by the commission. No further appropriation has been made since 1873.

In my annual report of October 20, 1873, an estimate of $2,000,000 for the next fiscal year was submitted, but no appropriation was made.

In the report of the Chief of Engineers for 1875, it was stated that—

To carry out the plan of the board, it is proposed, for reasons of economy chiefly, to execute the parts of the plan in the order of their importance. First, it is proposed to remove Easby's Point and the north and west side of Analostan Island, with the required amount of dredging to complete this part of the plan. For this work $550,000 will be required.

And in the report for 1876 attention was again called to the subject as follows:

In my last annual report it was stated that in carrying out the plan of improvement recommended by the board of survey created by the act of March 3, 1872, the first operation of importance would be the removal of Easby's Point, the estimated cost of which is $550,000. Apart from this there is an immediate necessity for an appropriation of $14,000 for dredging the Washington channel between the arsenal and the long bridge. * * * * * * *

My annual report of this year states:

The main ship-channel of the river, between the Virginia draw of the Long Bridge and Georgetown, has been rapidly filling up with sand and *debris* brought down by freshets. The preservation of a navigable depth through this channel is of vital importance to the Cumberland coal-trade of Georgetown, in which numerous vessels are engaged, and an estimate has been prepared by the engineer in charge for dredging a channel 250 feet wide and 18 feet deep at low water. The amount required for this purpose is $42,233. The Washington channel along the immediate city front * * * has become so shoal as to seriously interfere with the trade of the city. * * * The estimate for a channel 200 feet wide and 12 feet deep at low water is $57,640.

The aggregate amount asked for being $100,000

From this statement it will appear that the subject of the improvement of the harbors of Washington and Georgetown and their approaches has been fully presented to Congress, and that estimates for the execution of the project have been submitted from time to time, but that Congress has not yet adopted the plan to the extent of making appropriations adequate to commencing the permanent work.

A copy of the report of the board of survey is herewith.

The communication of the Commissioners of the District of Columbia, with its inclosure, is herewith returned.

By direction of Brigadier General Humphreys, and in his absence.

Very respectfully, your obedient servant,

JOHN G. PARKE,
Major of Engineers.

HON. GEORGE W. MCCRARY,
Secretary of War.

T.—CONTRACTORS' CLAIMS AGAINST THE DISTRICT.

To the honorable the Commissioners of the District of Columbia:

Your petitioners respectfully represent that they are creditors of the District of Columbia; that their claims grow out of and are founded upon contracts in writing made by them with your honorable board;

that their claims are just and long overdue and payable; that by the terms of said written contracts they were required to accept and receive the bonds provided for in the act of Congress approved June 20, A. D. 1874, entitled "An act for the government of the District of Columbia, and for other purposes," commonly called "3.65 bonds" in lieu of the lawful money stipulated to be paid in the original contracts with the late board of public works; that they have long since fully and honestly completed the work and labor, and furnished the materials provided for in said contracts, and in strict compliance with the conditions and stipulations thereof; that all this has been done to the acceptance of your honorable board, and to the use and advantage of the Government of the United States and of the District of Columbia respectively; that since their said claims became due and payable as aforesaid, they have been at all times, and now are, willing to receive and accept the said bonds according to the terms of said contracts, and have likewise demanded the same from the proper authorities, who declined to deliver the same; that by the joint resolution of Congress approved March 14, A. D. 1876, still in full force and effect, the further issue of said bonds has been wholly prohibited and prevented; that thereby your honorable board has been, since the passage of said joint resolution, without the means or resources to pay said claims or any part thereof; that said District of Columbia being insolvent in fact, your petitioners are wholly remediless unless through the legislative power of Congress; that all of said claims have either been fully examined and audited by the late board of audit, appointed by said act of Congress approved June 20, A. D. 1874, or are evidenced by the measurements of the engineer, likewise appointed by said act of Congress above mentioned, which measurements are now in the custody, as you are well aware, of your honorable board; that not only can the amounts due and owing on said claims respectively be thus readily and accurately ascertained by official documents and public records as aforesaid, but the work and labor and materials entering into and composing said claims, were performed and furnished respectively under the constant supervision and inspection of your honorable board, or your duly appointed subordinate officers, and of the engineer directed thereto by said act of Congress; that your petitioners have faithfully and honestly, and with all due diligence, executed and fully performed all the terms and conditions of said contracts on their part entered into.

Whereupon your petitioners most respectfully but earnestly insist that by reason of the premises the faith and honor of the United States are pledged through the said acts of Congress, and by reason of said contracts made and entered into by their duly authorized and empowered agents, your honorable Board of Commissioners, to the faithful and prompt execution of said contracts upon its part, that is to say, by conferring upon your honorable board the power and authority to pay or satisfy said claims.

Your petitioners therefore pray that your honorable board will transmit this their memorial to the Congress of the United States, with such recommendation as the premises considered may seem just and honest.

HENRY BIRCH,
OWEN O'HARE,
WILLIAM FLETCHER,
NICHOLAS ACKER,
STEPHEN TALTY, and others,
By ROBERT CHRISTY,
Their Attorney.

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45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. 1, Part 7.

ANNUAL REPORT

OF THE

BOARD OF HEALTH

OF THE

DISTRICT OF COLUMBIA.

1877.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1878.

MEMBERS OF THE BOARD.

T. S. Verdi, A. M., M. D.
C. C. Cox, M. D., LL. D.
John Marbury, jr.
D. W. Bliss, M. D.
R. B. Warden.

PRESIDENT.
T. S. Verdi, A. M., M. D.

SECRETARY.
C. C. Cox, M. D., LL. D.

TREASURER.
John Marbury, jr.

REGISTRAR OF VITAL STATISTICS.
D. W. Bliss, M. D.

ATTORNEY.
R. B. Warden.

STANDING COMMITTEES.

Ordinances.—R. B. Warden, D. W. Bliss.
Sanitary.—T. S. Verdi, C. C. Cox.
Sanitary Police.—C. C. Cox, John Marbury, jr.
Epidemics.—D. W. Bliss, T. S. Verdi.
Finance.—John Marbury, jr., R. B. Warden.

OFFICERS OF THE BOARD.

HEALTH OFFICER.
P. T. Keene, M. D.

CHIEF CLERK.
D. S. Jones.

MEDICAL SANITARY INSPECTOR.
W. D. Stewart, M. D.

SANITARY INSPECTORS.
J. H. Smith.
T. C. Quantrill.
D. V. Colclazier.
William Wolf.
C. Ludington.

POUND-MASTER.
Samuel Einstein.

MESSENGER.
Mason Coxton.

REPORT

OF

THE BOARD OF HEALTH.

REPORT OF THE PRESIDENT OF THE BOARD.

To the President of the United States:

Another year has passed since the board of health has communicated to the President the sanitary condition of the District of Columbia and made suggestions for the preservation of the health of its people.

The number of deaths has sensibly decreased from that of previous years, and the total mortality compares most favorably with that of cities of similar proportions, where a full and correct record of vital statistics is kept. While this is true, the board of health is not unmindful of the many sources of disease which can be removed or quenched by proper legislation.

To maintain health in a community, it is not enough to spasmodically investigate and suppress causes of disease; for wherever people are collected in large numbers, nuisances injurious to health abound, and the necessity for vigilance is constant, and frequent application of remedial agents imperative. It is, therefore, with the view of keeping uninterrupted this vigilance, that the board of health annually reports to you the result of its labors, and renews recommendations for further sanitary improvements.

Public hygiene has in the last twenty years made great strides, and is now engaging the attention of thoughtful men of all countries. The people are becoming aware that communities can be saved from the scourge of epidemics only by well organized sanitary bodies.

In this country public hygiene is comparatively a new science, at least in the application of it, because in former days our population was sparsely disseminated, and only a few grand centers existed. Yet many of our cities have attained immense proportions, requiring all the sanitary care that the old world has bestowed upon its aggregated communities.

While twenty-five years ago the capital of this country could hardly enumerate 50,000 people, to-day it reckons 165,000, and ranks as twelfth in the list of our great cities.

This incursion of people has not brought industry and intellectual development only, but their twin sisters, poverty and ignorance; therefore, while twenty-five years ago a mayor and a few policemen could maintain this city in a tolerably sanitary condition, to-day it requires the knowledge and service of experts to prevent its becoming a nursery of contagion and disease.

To provide adequate measures of prevention, two elements of knowledge are essential for the guardians of the public health. First, the physical state of the locality where a city is established. Secondly,

the character of the population that inhabits it. The city of Washington is located on an area in the shape of a basin, having for its rim a circling range of low wooded hills, the highest point of this basin not being over 40 feet above tide-water in the Potomac; it is, therefore, with great difficulty that it is drained, and for the same reason it is exposed to periodical freshets during the rainy seasons of spring and fall. Its shallowness is also the cause of many ponds of stagnant water with which the board of health has so much to contend.

The difficulties experienced by the board in securing the draining and filling of private sunken lots have greatly barred the success of our sanitary efforts, the law not being sufficiently explicit and peremptory. No nuisance can threaten a city with emanations more dangerous to health than these pools of stagnant water. I therefore recommend that Congress at its next session enact such a law as will enable the board of health to abate this nuisance with promptness, without the circumlocution and slow process under existing laws.

To this shallowness aforesaid is also due the partial failure of our sewer system, about which I shall speak hereafter.

The population is a mixed one, nearly one-third being of African descent. The presence of even so large a portion of colored persons should not be a source of anxiety to the sanitarian; but the colored population of Washington is peculiar. Coming as it did, through the vicissitudes of the late war, from the fields and the neglect of farm-life where public hygiene is unknown, they settled here, as people flee from dangers, with nothing but the squalor of their poverty; they filled the cheap huts of our alleys, and thus greatly added to the inconvenience and danger of filthiness and neglect.

MORTALITY OF THE NEGRO.

The ratio of mortality of these people in our city is positively alarming; the above-mentioned conditions are undoubtedly causes that lead to disease and death, yet they are scarcely sufficient to account for the great difference existing between the rate of mortality of the colored when compared with that of the white; the latter being 18.27 per cent., the former 44.50. Moreover, the colored are as much cared for as the white by the sanitary officers, who are constantly on the alert to prevent epidemics and the spread of contagious and infectious diseases; they do not even die of starvation, for they live in a Christian community that see to it that no one suffers from hunger. This mortality constitutes an important question in the history of vital statistics, and is of positive interest to public economists. Is it an inherently weakly race, not able to compete without great loss of life with the Caucasian in the great "struggle for existence"; or, is the life of the negro in its state of newly-acquired freedom in greater danger than in its former state of servitude; or, are there other causes that affect his existence, that would not affect the white? It is to be regretted that the State governments of the South should not have provided for such statistical records as would enable us to answer these vital questions, for our experience in this matter is purely local, and may not correspond with that of those regions of the South where the millions reside; several reasons we may give for the excessive mortality of the negro in our city.

During our late war thirty thousand or more escaped from the surrounding country, where they could at least enjoy the pure air of heaven, to find asylum in the crowds of our city. Here they met the sturdy Irishman in competition for labor. In this contest their physical endur-

ance has been severely tasked, and it cannot be doubted that many have perished in the struggle. Moreover, the habits of the negro are not those of steadiness and hard labor. They are inclined to interrupt their work by long periods of rest, and many of them never work unless compelled to by the presence of famine standing on the very threshold of their dwellings. To the weakness of their constitution they have also added all the vices grown in a thousand years in the communities of whites. Uneducated to frugality, they do not save a farthing, and if out of employment for a week their families must suffer from the want of the necessaries of life. The most ignorant of their class have not, moreover, been nursed in that moral atmosphere which is in itself a protector of life. We realize this by the great infant mortality occurring among them. Of 119 still-births investigated by the medical sanitary inspector 107 were colored, 44 of which were illegitimate issues. Reckoning according to population, the percentage of still-births would be as 23.77 of the black to .104 of the white. This fact is rather suggestive, and it may well be apprehended that this extraordinary destruction of life is induced not only by ignorance and poverty, but by crime.

This mortality of the negro appeals seriously to the humanist and to the political economist; for if it is induced by his social condition, loving humanity should go to its relief; if by his physical state, then it becomes a subject of importance to the statesman, for at this rate of mortality the days of the colored race are numbered.

It is important that the people of the South should become awakened to these facts, and at once provide for reliable records of deaths and births, for they alone can demonstrate whether the mortality of the negro is general or purely local. It is of peculiar interest to the welfare of their communities to know whether their labor is to perish through the decimation of their laboring population.

THE GENERAL MORTALITY.

The mortality of the District of Columbia has, as stated above, sensibly decreased during the last fiscal year, but by referring to the report of the registrar of vital statistics it will be noticed that the mortality from *certain* zymotic or preventable diseases, such as diphtheria, scarlet and malarial fevers, has increased.

As the office of sanitarians is to reduce, if not to totally efface, this very mortality, it is proper that this board should state the reasons for the increase. It can hardly be asserted that climatic causes have been more prolific of disease this year than the previous one, nor that malaria-generating localities have become more extensive. In my opinion it is due to the *unreasonable reduction* of sanitary force imposed upon the board by the inadequate appropriation made by Congress. Formerly the area of the District was divided into ten sanitary districts, each having a sanitary inspector to constantly watch its healthful condition. Congress, eighteen months ago, notwithstanding the earnest remonstrances of the board, reduced that force to three inspectors, a number totally inadequate to perform the work with efficiency.

In this city of magnificent distances, so great is the area to be covered, that three inspectors cannot possibly do more than attend to special complaints, or take notice of any but the most dangerous nuisances. This is proven by the report of the health officer, who gives this year a much less number of nuisances reported and abated than in previous years.

No city can be kept in a state of cleanliness without the constant

supervision of expert sanitary inspectors, and we therefore recommend that this appropriation be increased so as to secure the systematic and sufficient inspection required by the size of the city and its large population.

OUR SEWER SYSTEM.

Sanitary conditions could hardly be treated without closely analyzing the very debatable question of sewers, and in this connection I hope to do honor to whom honor is due, claiming, however, that independence of opinion that should belong to every citizen, and particularly to those engaged in maintaining the health of the public.

Our municipal governments have too often followed, if I may so express myself, the adage, "sufficient unto the day is the evil thereof," and on that principle their mode of relief is more suggestive of expediency than of permanency. It is on this account that the administration of municipal officers has often fallen into disrepute.

Washington of old was but a quagmire in winter and a sandy desert in summer. Washington reclaimed, is anything but perfect. Gigantic, and not vain, efforts have been made by our late Territorial government to lift Washington from the gloom of neglect and place it among the thrifty and well-cared-for cities of the country. In a work of such magnitude it would only be human to commit mistakes, and these mistakes can be more easily perceived now than anticipated before the completion of the work.

THE BOARD OF PUBLIC WORKS

instituted a grand and comprehensive system, one that should reach every household in the District; and this probably was the first mistake, for the work so organized was so extensive as to be liable to the imperfections that are so glaring now, and its sewer system is one that did not escape the confusion of hurriedness. The rapidity with which that work was carried on did not permit of that mature reflection necessary to secure the construction of a perfect work. In many instances, therefore, these sewers are inadequate in size, faulty in construction, wrong in conception. Where inadequate in size, they overflow at the fall of every heavy rain; when faulty in construction they give away under pressure; when wrong in conception, they are a source of positive evil and alarm to our people. It is probable, also, that the rise and fall of the Potomac has not been taken into sufficient consideration, for it happens that high tides and freshets force great volumes of water into the main sewers, causing them to regurgitate and flood the cellars of many dwellings, and particularly of those lying between First and Fifteenth streets, northwest, and between Pennsylvania avenue and the line of the old canal. This regurgitation forces the mephitic gases backward, which can only escape through the manholes in our streets, or through the insufficiently trapped pipes in our dwellings. So it comes to pass that on such occasions the deadly gases find vent into our dormitories through stationary basins, and in bath-rooms through the bath-tubs. This is probably the greatest evil arising from the system aforesaid. To cure this terrible defect the construction of an intercepting sewer has become indispensable. This sewer should be of proper proportions and strength, and commence in the neighborhood of Twenty-fourth street, northwest, gradually descending eastward to such a point near the navy-yard as is practicable. If possible, it should cross the stream at a point near Uniontown, whence it should be pumped into a covered canal leading four or five miles away from the city. A work

of this character would forever relieve the capital from any danger from that source. This is the general idea of the intercepting sewer needed, but it may be modified by plans of more practical character, and probably of less expensive proportions. At any rate, let our sewers be disconnected from the Potomac, except as to the emptying of their contents, and one of our greatest nuisances will be removed. This great work might be considered in connection with proposed plan of improving our water frontage, and the reclaiming of the many acres of marshy lands.

One side of the sea-wall proposed to confine the flow of water of the Potomac on the north side of the river might be used as one side of the proposed sewer, thus greatly reducing the expense. I know that this proposition may startle the economist on account of the expense, but other governments have done no less for their capitals; nay, they have done an hundred-fold more.

I am also of the impression that the so-called barrel-sewer so generally adopted in our city is a mistake. Such a sewer is inaccessible after its construction, and is liable to constant engorgements from deposits that can hardly be removed without tearing up the streets. A sewer of a triangular form, 3 feet at the base, 1 foot at the top, 6 feet high, can be kept in perfect and constant order by its accommodating the presence of laborers through its whole length. In Paris the lateral sewers are so constructed, and cause no trouble whatever.

The board of health did also recommend to the late board of public works a regulation that all sewer connections be ventilated by a pipe at the building line, said pipe fixed to the practical side of the house, and to rise to the height of the chimney-tops. This would at once relieve all the pressure which generally forces the gas through the insufficient traps under the basins and tubs.

We regret that our recommendation has not been heeded, but hope that our present Commissioners will give due consideration to this subject.

THE DANGEROUS MARSHES ON THE POTOMAC SHORE.

These marshes have been a source of great anxiety to the board of health. As early as the year 1873 the board, in most emphatic terms, called the attention of the government to this fruitful bed of malaria. It is to be regretted that no action has been taken for the removal of these dangerous deposits. But the board, unwilling to rest under the fatality of this apparent neglect, again have instituted a most thorough investigation of this flagrant nuisance, and reported to the President its condition with plans for abatement. The report is so conclusive that it requires nothing at my hand other than the earnest request that it may be considered at the earliest possible moment. It will be found in the appendix to this report.

WATER SUPPLY.

Insufficiency of water has been a complaint from the occupants of houses built on the high grounds of our city. On Capitol Hill seldom does the supply reach the second floor. This cannot be a matter of indifference, for, while enough water for culinary purposes might be obtained from the neighboring pumps, the introduction of water-pipes, bath-tubs, water-closets, and stationary basins in dwellings would become a source of great danger if not supplied with plenty of water. The only safety from these sewer communications with house appliances is

the supply of uninterrupted running water. If enough water cannot be procured, it were better that these modern conveniences had never existed.

It is stated by the water registrar that each inhabitant in Washington receives one hundred and sixty-five gallons of water per day, that being a larger quantity than is supplied by any other city in the world. That may be true as to the average, but the distribution is not equal, and therefore some of our people suffer for the want of it.

We are very glad to hear that some of the citizens have an abundance, and we wish that it could be even doubled, but we plead for those who have such a scarcity. The water-registrar states also that, notwithstanding the fact that the water-takers have increased by a thousand last year, there has been consumed 1,750,000 gallons less daily. This is not, to my mind, a subject of congratulation.

Where sewers undertunnel a city, and millions of communications with the same are made in the dwellings and the streets, there cannot be too much running water thrown into them for dilution. Woe to our city—woe to any sewered city—if the supply of water should be withdrawn for a hundred, nay for fifty, consecutive hours.

Our water-registrar has unquestionably done his duty in economizing water, so as to maintain a sufficient pressure for the supply of the altitudes, but we regret the necessity of such economy.

If our water-source were limited, we could submit to the force of circumstances, but with an inexhaustible source of water-supply, it is criminal to deprive the people, or any number of citizens, of the most liberal share. Let more reservoirs and water-mains be built to cover the deficiency.

A government should not be niggardly in the supply of water any more than it should be in the supply of air. Every drop of water is a scavenger; every drop of water is a drop of health.

In answer to an inquiry of Congress as to the quality of the Potomac water, the sanitary committee last year recommended the erection of a reservoir in the northeastern section of the city, which, according to the suggestion of Major-General Meigs, should be filled during the night from the present water-mains. This is an economical plan to collect water in a special reservoir during the hours when the people are in no need of it. Colonel Lubey recommends the erection of a reservoir under a different plan.

What means may be adopted to secure the introduction of more water, we as sanitarians care but little, but we do insist and recommend that more water be taken to the city.

To secure pure and clear water a resting reservoir is also needed, for in five days the present distribution and use of water would exhaust every drop of water in the reservoirs if the feeding pipes were closed. It is this constant motion that prevents the settling and maintains the water in the present state of muddiness.

THE POOR OF THE DISTRICT AND MEDICAL ATTENDANCE.

It has been the custom heretofore to provide the destitute of our city with medical attendance at public expense. The care of the sick poor is a duty that our people never disregarded. Our city councils made ample appropriations for the purpose, and the mayors appointed the physicians to the poor. Later, the Commissioners of the District of Columbia properly assigned this duty to the board of health. The board instituted a system that was at once efficient and economical.

But this humane work came to a sad end by the failure of Congress to provide the necessary means. The Commissioners informed the board of health that there were no funds provided for the expenditure, and the board reluctantly withdrew from the poor that boon that our humane people never denied them.

Supplying the destitute with medical attendance and medicine is not only an act of charity, but a measure of protection to the community from the incursion of fatal epidemic.

Germs of diseases are generally nursed and diffused from the quarters of squalid poverty, where hygiene is an expensive luxury. Small-pox, diphtheria, scarlet-fever, cholera, typhoid fevers, so potent against human life, find in those theaters of filth the pabulum for prolificacy. These destitute people, cast in large numbers into confined and ill-ventilated quarters, are often compelled to go abroad in quest of the necessaries of life while infected by contagious diseases. In our own experience we have found that persons affected by the small-pox, and abandoned by their neighbors, would go to the grocer's store, to the public pump, or to the physician's office—to the one for food, to the other for water, and to the last for medical advice. Under such a condition of things it may well be conceived how easily a loathsome disease, that could be confined to a narrow space, may be diffused through a whole community.

In connection with this subject I must also bring to your notice this important fact, namely, that within the last year six hundred and eighty-nine persons have died in the District of Columbia without medical attendance. The medical sanitary inspector, whose duty it is to investigate the cause of death whenever the same is not certified by a medical attendant, reports that number of cases referred to him. What a comment upon a civilized community! What other argument does it need to impress upon the legislator the necessity of a liberal appropriation for this humane object? If six hundred and eighty-nine have died, how many must have suffered from disease without the help of a physician or the restorative dose of needed drug? If the legislator fails, let the Christian ponder.

CITY HOSPITAL.

The city of Washington has not a general hospital. This may appear both strange and incredible, yet it is true.

There are institutions of a private character for special purposes, or under the fostering care of religious congregations, but the city has no hospital of its own. The various infirmaries of Washington have generally been well considered by Congress, and, as far as we know, are well conducted.

The Providence Hospital is so perfect in all its departments as to excite our admiration. The managers of this institution deserve all the encomiums that can be bestowed upon benevolent and intelligent corporations. Still even this institution is in some sense private, subject to the special regulations of the incorporate body, and very limited in extent.

Admittance to the above-mentioned institutions is subject to the permit of a few persons appointed for the purpose, often inaccessible at the moment of the occurrence of an accident, when loss of time may be fatal to the victim. Every well-governed city has a general hospital, to which every citizen may claim admittance in case of necessity.

We have often seen wounded men in the night carried from one place to another in search of a permit for admission to our hospitals. Death

has even resulted from this delay and inconvenience. A city hospital should be erected without delay, and should be supplied with all modern appliances for the transportion of the sick. To this hospital might be attached a morgue and rooms for the coroner's inquests, so much needed.

PUBLIC CHARITIES.

Public charities should be under the control of a governmental organization, and there is no department of a municipal government that comes so near the poor as the officers of a board of health. All large communities have a goodly number of people who need the assistance of their fellow-men, and it is always a difficult problem for benevolent private societies to solve the careful distributions of the generous giver. In almost all European cities a department of public charities is provided, whose duty it is to make proper investigation to prevent imposition and for an equitable distribution to the deserving poor. There is no doubt that Christian people give generously and expend a great deal in the effort to relieve suffering humanity, yet the lack of proper organization often renders futile these very attempts. If all the money given privately for this pupose could go into a general fund, to be disbursed with caution and system, there would be, I venture to say, no one so poor as to suffer for the necessaries of life. I therefore recommend that to the various duties assigned to the board of health that of public charity be added, under such laws and regulations as those having the power to enact them shall think proper.

VITAL STATISTICS.

The report of the registrar of vital statistics is a document of great importance, not only to the District of Columbia, but to the country at large. This is probably the only country where complete records of deaths and births are not generally kept. New York, Boston, Brooklyn, and Washington are the only cities in the United States where a complete and reliable registry of vital statistics is enforced. European nations are so careful in this regard, that they keep a record of their citizens even when they are absent from their homes, and request the vital statisticians of all foreign countries to certify to the death of any of their citizens. It is not uncommon for our board of health to receive communications from foreign governments requesting such certificates. Such records are all-important in testamentary evidence, and it is surprising that in our enlightened country this department is so much neglected. We hope to see the day when this department will be established, not only in every State, but in every city and district of the nation. This report, which is hereto appended, presents facts that are not only of interest to the statistician but to the statesman. It should be analyzed with care.

THE ATTORNEY TO THE BOARD.

For the first time in the history of the present board of health, one of its members, the attorney, has been transferred to another honorable position. This created a vacancy, which was filled by the President by the appointment of the Hon. R. B. Warden. Judge Warden came and assumed control of the attorney's office almost at the end of the fiscal year, and had not, therefore, the opportunity of making such a report of the acts of his office and offer such recommendations for future legis-

lation as he would desire. His report, which he styles imperfect, will be found in the appendix, and deserves consideration.

HEALTH OFFICER'S REPORT.

This report shows the practical working of the board of health through its subordinates. It contains matters of the greatest importance to our citizens, and should be read carefully by all, that they may understand and appreciate the necessity of adding their share of attention and labor to the sanitary efforts of this office. It is for those who are disposed to cavil about the means used for removing nuisances, and for the enforcement of sanitary regulations, that this report is of peculiar import.

The medical sanitary inspector has performed a delicate and important duty, and from his report may be gleaned facts of great interest to society.

The report of the inspectors of food and marine products demonstrates the necessity of improving this service by an addition of force adequate to the requirements of so indispensable and laborious a work.

UNWHOLESOME FOOD.

The question of unwholesome food is one that causes great anxiety to the board of health. It is made the duty of the board by an act of Congress "to prevent the sale of unwholesome food," yet the means given by the same are quite inadequate to carry out the law.

For the last two sessions, Congress has allowed but one inspector of food, if we except the inspector of marine products, whose whole time is taken up with the inspection of such products, as they are landed on our shores. There are in the District of Columbia seven large public markets, placed at considerable distances from each other. There are, moreover, about a hundred green-grocers, commonly so called, or people who sell meats, vegetables, and fish in stores. It is not within human possibility that this one man should visit these places regularly even once in two weeks, for the public markets take all of his time. Therefore, in reducing the appropriation for the inspection of food, Congress has defeated the very law which it enacted.

There should be a thoroughly organized bureau for the inspection of food, assisted by a chemist and microscopist. The board of health made several efforts to inaugurate such a system, but the lack of funds generally defeated their well-intended efforts.

There is no question in sanitary governments that affect the welfare of every citizen as this very question of wholesome food. It affects the rich as well as the poor, not only for a day, but for every day and every time that food is used to sustain life.

In its estimates for next fiscal year, the board has asked an increased appropriation for this important service, and it is sincerely to be hoped that Congress will not withhold from us the small sum asked.

REPORT OF THE TREASURER.

The report of this officer exhibits a detailed statement of all receipts and expenditures for the fiscal year ending June 30, 1877, the period for which the appropriation was made. Vouchers for all expenditures have been presented to the proper accounting officers of the government.

In conclusion, it is proper to make acknowledgments for the impor-

tant assistance rendered us by the intelligent portion of the community in which we have labored, and whose best interests we have endeavored to promote, and especially do we acknowledge the courtesies extended at all times by the executive authorities of the District.

TULLIO S. VERDI, M. D.,
President Board of Health.

REPORT TO THE COMMISSIONERS.

DISTRICT OF COLUMBIA, BOARD OF HEALTH,
Washington, November 9, 1877.

GENTLEMEN: In compliance with your request of the 24th ultimo, we have the honor to submit the following report of the operations of the board for year ending October 31, 1877, under authority granted and duties imposed by your orders.

THE GARBAGE SERVICE.

The contract with Messrs. H. F. Turner & Co. for performance of this service expired March 31, 1877, and by virtue of authority conferred in your letter of March 17, 1877, contract was made with F. M. Draney, esq., for one year, commencing April 1, 1877, for the sum of $11,796, being $3,804 less than the amount paid Turner & Co. for like service during the preceding year.

Under Mr. Draney's administration the work has been performed in a most thorough and efficient manner, and complaints of citizens of neglect on the part of the collectors reduced to the minimum.

The number of tons collected from November 1, 1876, to November 1, 1877, was 6,784, an average of 565¼ tons per month, or 21⅔ tons per day; expense of the service, $13,381, or $1.98 per ton. All of this material has been transported by rail and water to points many miles beyond the District limits.

BURIAL OF PAUPERS.

From November 1, 1876, to November 1, 1877, the remains of 319 paupers were interred in "Potter's Field," and 141 were interred in other cemeteries; total burials at public expense, 460—43 less than last year. The number of coffins furnished was 460—53 less than last year. One hundred and fifty-three still-born infants were buried at the public expense, or 33.26 per cent. of the total number of such burials. In this connection it is proper to state that this service, imposed upon the board by your orders, has been conducted without prejudice to any branch of the sanitary service, and at the same time it is believed that the public interests have been thereby largely conserved.

NUISANCES.

During the year 741 nuisances were reported as existing upon the public highways, and referred to you with request for abatement. It is not known what number of such nuisances were abated, as the board has not been advised of the action taken, except in a very few of the more flagrant cases.

RECEIPTS AND EXPENDITURES.

The receipts and expenditures of the board for the fiscal year ending June 30, 1877, from the funds of the District, appropriated by act of Congress of July 31, 1876, have been as follows:

Received.		Expended.	
August	$2,778 32	August	$2,198 13
September	1,389 16	September	1,611 53
October	1,389 16	October	1,700 63
November	1,389 16	November	1,406 25
December	1,389 16	December	1,417 42
January	1,389 16	January	1,381 70
February	1,389 16	February	1,371 16
March	1,389 16	March	1,242 93
April	1,389 16	April	1,429 08
May	1,389 16	May	1,441 09
June	1,389 24	June	1,470 08
	16,670 00		16,670 00

Amount appropriated, $16,670.

Estimate of expense of conducting the sanitary service of the District for the fiscal year ending June 30, 1879.

For general sanitary inspection; to prevent the sale of unwholesome food; to prevent domestic animals from running at large; to secure a full and correct record of vital statistics; for the transportation of offals; to prevent the introduction and spread of infectious and contagious diseases, and for miscellaneous and contingent expenses, $43,055, one-half of which sum, $21,527.50, is required from the funds of the District.

In addition to this, a further sum of $15,000, more or less, will be required for the garbage service, and $1,000 for burial of paupers.

Very respectfully, your obedient servants,

T. S. VERDI,
CHRIS. C. COX,
JOHN MARBURY, JR.,
D. W. BLISS,
R. B. WARDEN,
Board of Health, District of Columbia.

Hon. COMMISSIONERS DISTRICT OF COLUMBIA.

REPORT OF THE TREASURER.

WASHINGTON, D. C., *July* 31, 1877.

SIR: I have the honor to submit herewith statement of receipts and disbursements for the fiscal year ending June 30, 1877, from appropriation by Congress, act July 31, 1876:

RECEIPTS.

Date.	From whom received.	Amount.
1876.		
Aug. 3	Treasurer of the United States	$2,176 45
Aug. 15	Treasurer of District of Columbia	1,389 16
Aug. 31	.....do	1,389 16
Sept. 4	Treasurer of the United States	601 87
Sept. 29	.....do	1,389 16
Sept. 29	Treasurer of District of Columbia	1,389 16
Oct. 26	.....do	1,389 16
Oct. 27	Treasurer of the United States	1,389 16
Nov. 29	.....do	951 66
Nov. 29	Treasurer of District of Columbia	1,389 16
Dec. 20	.....do	1,389 16
Dec. 22	Treasurer of the United States	1,389 16
1877.		
Jan. 27	Treasurer of the United States	1,389 16
Jan. 30	Treasurer of District of Columbia	1,389 16
Feb. 26	.....do	1,389 16
Feb. 27	Treasurer of the United States	1,389 16
Mar. 29	.....do	1,389 16
Mar. 29	Treasurer of District of Columbia	1,389 16
Apr. 27	Treasurer of the United States	1,389 16
Apr. 28	Treasurer of District of Columbia	1,389 16
May 26	.....do	1,389 16
May 28	Treasurer of the United States	1,389 16
June 13	.....do	1,389 24
June 29	Treasurer of District of Columbia	1,389 24
	Total	32,902 50

DISBURSEMENTS.

Date.	To whom paid.	For what paid.	Amount.
1876.			
July 3	D. S. Jones	Postage	$2 98
	National Republican	Subscription	1 50
	Amelia Elliott	Washing	1 08
July 10	John Marbury, jr	Postage	7 00
July 13	.....do	.....do	5 00
July 26	Republican	Printing	18 00
July 29	J. H. Weirick	Clerical work	50 00
July 31	H. D. Beam	Professional services	35 00
Aug. 2	John Marbury, jr	Postage	2 00
Aug. 4	P. T. Keene	Salary	208 34
	D. S. Jones	.....do	125 00
	J. C. McGinn	.....do	100 00
	C. L. Hulse	.....do	100 00
	E. B. Bliss	.....do	100 00
	J. H. Smith	.....do	100 00
	J. T. Kelley	.....do	100 00
	William Wolf	.....do	100 00
	C. Luddington	.....do	100 00
	T. C. Quantrill	.....do	42 73
	W. D. Stewart	.....do	82 08
	Mason Coxon	.....do	40 00
	Samuel Einstein	.....do	83 33
	Thomas C. Wilson	Rent	110 00
	Joseph Burkhart	Pound service	31 00
Aug. 8	James Miller	.....do	26 00
	Andrew Elliott	.....do	26 00
	W. H. Hawkins	.....do	26 00
	John Wells	.....do	26 00
	John Marbury, jr	Postage	6 00
Aug. 11	Richard A. Macomb	Printing	50 50

Disbursements—Continued.

Date.	To whom paid.	For what paid.	Amount.
1876.			
Aug. 15	J. W. Burkhart	Pound service	$11 25
	Washington Gas Light Company	Gas	2 03
	Kennebec Ice Company	Ice	12 30
	W. D. Knight	Printing	32 50
	J. M. Langston	Salary	83 33
	John Marbury, jr	Postage	2 00
Aug. 18	J. T. Springmann	Repairs	18 85
	E. B. Bliss	Salary	50 00
	S. M. & H. C. Jones	Forage	28 36
Aug. 22	W. D. Knight	Printing	7 00
	T. W. Smith	Lumber	10 00
Aug. 28	W. D. Knight	Printing	4 50
Aug. 29	John Marbury, jr	Postage	5 00
	J. H. Weirick	Clerical work	25 00
Aug. 30	R. Beresford	Printing	4 00
Aug. 31	Pay of employés		1,331 00
Sept. 2	Patrick Hawkins	Pound service	36 25
	John Wells	do	36 25
	Andrew Elliott	do	36 25
	James Miller	do	36 25
	G. C. Maynard	Repairs	16 00
	Charles Pelham	Professional service	41 66
	Kennebec Ice Company	Ice	17 43
Sept. 4	Thomas C. Wilson	Rent	110 00
	John Marbury, jr	Salary	166 66
	C. C. Cox	do	166 66
Sept. 6	H. F. Turner & Co	Transportation of offals	625 00
	D. W. Bliss	Salary	166 66
Sept. 9	Mrs. H. A. Whiting	Stationery	19 65
	Washington Gas Light Company	Gas	1 80
	A. E. Boone	Clerical work	75 00
	B. W. Reed's Sons	Matches	2 50
Sept. 12	J. M. Langston	Salary	83 33
	R. A. McComb	Printing	40 00
	W. D. Knight	do	23 36
	S. M. & H. C. Jones	Forage	25 00
	Mason Coxton	Washing	2 16
Sept. 15	Ben. F. French	Blank books	35 80
Sept. 19	D. S. Jones	Postage	2 00
Sept. 25	Andrew Elliott	Pound service	23 75
	C. F. Jarvis	Repairs	4 00
Sept. 26	J. M. Langston	Salary	41 67
Sept. 29	do	do	41 66
	Pay of employés		1,394 16
	G. L. Sheriff	Fuel	81 50
	S. M. & H. C. Jones	Forage	24 33
	John Wells	Pound service	26 25
	James Miller	do	26 25
	W. H. Hawkins	do	28 75
	Andrew Elliott	do	28 75
	H. F. Turner & Co	Transportation of offals	625 00
	Thomas C. Wilson	Rent	110 00
	C. C. Cox	Salary	83 33
	Samuel Einstein	do	83 33
	D. W. Bliss	do	83 33
Oct. 3	J. C. Parker	Stationery	40 15
	C. Pelham	Professional services	41 66
	T. S. Verdi	Salary	125 00
	Kennebec Ice Company	Ice	12 37
	Washington Gas Light Company	Gas	2 70
Oct. 6	J. T. Springmann	Repairs	19 35
Oct. 7	John Marbury, jr	Salary	83 33
Oct. 14	Mason Coxton	Washing	2 16
Oct. 24	D. S. Jones	Postage	3 00
Oct. 30	Pay of employés		1,469 99
	James Littleton	Labor	3 50
	G. W. Kessler	Messenger	11 50
	H. F. Turner & Co	Transportation of offals	625 00
	Thomas C. Wilson	Rent	110 00
	H. D. Beam	Professional services	41 66
	W. D. Knight	Printing	15 00
Oct. 31	Andrew Elliott	Pound service	24 37
	W. H. Hawkins	do	24 38
	John Wells	do	14 38
	James Miller	do	14 37
	C. C. Cox	Salary	83 33
	John Marbury, jr	do	83 33
	J. M. Langston	do	83 33
	T. S. Verdi	do	41 66
	Hooe Bro. & Co	Matting	5 63
	W. D. Knight	Printing	16 00

Disbursements—Continued.

Date.	To whom paid.	For what paid.	Amount.
1876.			
Oct. 11	J. H. Weirick	Clerical work	$25 00
Nov. 2	D. W. Bliss	Salary	83 33
Nov. 4	Webb & Beveridge	Furniture	3 00
	Kennebec Ice Company	Ice	9 75
	S. D. Castleman	Disinfectants	4 00
	Washington Gas Light Company	Gas	3 38
	S. M. & H. C. Jones	Forage	20 05
	J. T. Springmann	Repairs	6 00
Nov. 11	D. S. Jones	Postage	5 00
	Mason Coxton	Washing	2 16
Nov. 21	R. A. Macomb	Printing	18 00
	W. D. Knight	do	3 00
	W. W. Rapley	Repairs	3 50
	J. C. Hogan	Removing awnings	2 50
	Ben. F. French	Stationery	46 95
Nov. 29	Thomas C. Wilson	Rent	110 00
	Pay of employés		1,484 99
	D. S. Jones	Postage	5 00
	T. S. Verdi	Salary	41 66
	C. C. Cox	do	83 33
	John Marbury, jr	do	83 33
	J. M. Langston	do	83 33
	D. W. Bliss	do	83 33
	H. D. Beam	Professional services	41 66
	H. F. Turner & Co	Transportation of offals	625 00
Dec. 1	J. T. Springmann	Repairs	6 00
	S. M. & H. C. Jones	Forage	11 85
	W. H. Hawkins	Pound service	30 00
	Andrew Elliott	do	30 00
	John Wells	Labor	3 75
	Chronicle Publishing Company	Printing	7 00
	J. C. Parker	Stationery	16 35
	D. S. Jones	Postage	6 21
Dec. 4	do	do	2 00
Dec. 5	Washington Gas Light Company	Gas	5 40
	Kennebec Ice Company	Ice	9 00
Dec. 12	Mason Coxton	Washing	2 16
	J. H. Weirick	Clerical work	30 00
Dec. 14	Chronicle Publishing Company	Printing	50 00
Dec. 19	T. W. Smith	Repairs	6 11
	R. A. Macomb	Printing	18 00
Dec. 23	W. H. Hawkins	Pound service	16 25
	Andrew Elliott	do	16 25
	Pay of employés		1,420 63
	C. C. Cox	Salary	83 33
	D. V. Colclazier	Small-pox service	100 00
	T. S. Verdi	Salary	41 66
	Mason Coxton	do	45 00
	John Marbury, jr	do	83 33
	D. W. Bliss	do	83 33
	J. M. Langston	do	83 33
Dec. 27	H. D. Beam	Professional services	41 66
Dec. 28	R. A. Macomb	Printing	18 00
	R. Beresford	do	22 00
	Thomas C. Wilson	Rent	110 00
	H. F. Turner & Co	Transportation of offals	625 00
1877.			
Jan. 4	Washington Gas Light Company	Gas	6 08
	Chronicle Publishing Company	Printing	6 00
	D. S. Jones	Postage	2 00
Jan. 9	G. C. Maynard	Repairs	4 50
	H. I. Gregory	do	6 00
	Kennebec Ice Company	Ice	5 10
	B. W. Reed's Sons	Matches	2 50
	H. A. Martin & Son	Vaccine virus	30 00
Jan. 16	C. G. Thorn	Repairs	5 70
	W. H. Boyd	Three copies City Directory	15 00
	Mason Coxton	Washing	2 52
Jan. 22	D. S. Jones	Postage	2 00
Jan. 23	D. V. Colclazier	Small-pox service	42 73
Jan. 24	W. J. Murtagh	Printing	36 00
Jan. 30	C. C. Cox	Salary	83 33
	T. S. Verdi	do	41 66
	D. W. Bliss	do	83 33
	John Marbury, jr	do	83 33
	J. M. Langston	do	83 33
	H. F. Turner & Co	Transportation of offals	625 00
	Pay of employés		1,284 99
	Mrs. A. H. Whiting	Stationery	17 40
Feb. 1	John Wells	Small-pox service	3 75
Feb. 3	W. H. Hawkins	Pound service	23 75

Disbursements—Continued.

Date.	To whom paid.	For what paid.	Amount.
1877.			
Feb. 3	Washington Gas Light Company	Gas	$5 40
	Kennebec Ice Company	Ice	3 54
Feb. 6	S. M. & H. C. Jones	Forage	19 26
	J. C. Wilson	Rent	110 00
	J. T. Springmann	Repairs	6 75
Feb. 9	Mason Coxton	Washing	2 52
Feb. 16	C. C. Cox	Salary	83 33
	C. S. Douglass	Printing	18 00
	Gibson Bros	do	7 50
	J. C. Parker	Stationery	8 00
	George E. Lane	do	38 25
Feb. 24	J. M. Langston	Salary	83 33
	John Marbury, jr	Postage	2 00
	W. D. Knight	Printing	3 00
Feb. 27	Pay of employés		1,284 99
	H. F. Turner & Co	Transportation of offals	625 00
	J. C. Wilson	Rent	110 00
	D. W. Bliss	Salary	83 33
	John Marbury, jr	do	83 33
	T. S. Verdi	do	41 67
Mar. 3	John Wells	Small-pox service	2 50
	Andrew Elliott	Pound service	12 50
	W. H. Hawkins	do	18 75
	D. S. Jones	Postage	2 00
Mar. 7	Kennebec Ice Company	Ice	3 12
	Washington Gas Light Company	Gas	5 85
	John Keyworth	Soap	6 50
	The Nation Company	Advertising	11 25
Mar. 9	Buckey & Marbury	Hardware	11 45
Mar. 13	Mason Coxton	Washing	2 52
	W. D. Knight	Printing	4 00
	National Republican	Advertising	19 00
	Nation Company	do	16 40
Mar. 20	C. S. Douglass	Printing	18 00
Mar. 23	Evening Star	Advertising	13 50
	Daily Critic	do	8 25
	J. B. Adams	Stationery	3 50
	John Marbury, jr	Postage	1 00
Mar. 30	Andrew Elliott	Pound service	21 25
	W. H. Hawkins	do	21 25
	D. W. Bliss	Salary	83 33
	R. Beresford	Printing	2 00
	J. C. Wilson	Rent	110 00
	H. F. Turner & Co	Transportation of offals	625 00
	D. S. Jones	Postage	2 00
	John Marbury, jr	Salary	83 33
	C. C. Cox	do	83 33
	S. M. and H. C. Jones	Forage	20 56
	Pay-roll of employés		1,284 99
	J. M. Langston	Salary	83 33
	T. S. Verdi	do	41 67
Apr. 3	Samuel Einstein	Use of horse	47 00
	John T. Springmann	Repairs	8 90
	Washington Gas-Light Company	Gas	2 93
	Kennebec Ice Company	Ice	3 54
	Gibson Brothers	Printing	3 00
Apr. 6	H. A. Martin & Son	Vaccine virus	27 00
	William Rutherford	Repairs	2 50
	National Republican	Subscription	1 50
	Mason Coxton	Washing	2 16
Apr. 13	Mrs. A. H. Whiting	Stationery	5 40
	W. W. Burdette & Co	Towels	9 00
Apr. 20	J. B. Adams	Stationery	33 50
	Webb & Beveridge	Furniture	4 00
Apr. 28	John Marbury, jr	Salary	83 34
	William Rutherford	Repairs	1 50
	C. C. Cox	Salary	83 34
	J. C. Wilson	Rent	110 00
	F. M. Draney	Transportation of offals	560 00
	J. M. Langston	Salary	83 34
	D. W. Bliss	do	83 34
	T. S. Verdi	do	41 67
	Pay-roll of employés		1,363 91
May 1	John Wells	Small-pox service	1 25
	W. H. Hawkins	Pound service	27 50
	Andrew Elliott	do	27 50
May 3	William Rutherford	Repairs	2 00
	George E. Lane	Blank books	16 00
	S. M. and H. C. Jones	Forage	14 08
	J. T. Springmann	Repairs	27 50
May 4	Samuel Einstein	Use of horse	14 00
	J. B. Adams	Stationery	40 80
	B. W. Reed's Sons	Matches	2 50

Disbursements—Continued.

Date.	To whom paid.	For what paid.	Amount.
May 4	Kennebec Ice Company	Ice	$3 90
	Washington Gas-Light Company	Gas	2 70
	C. F. Jarvis	Repairs	6 50
	Henry Nichols, agent	Subscription, Star	5 28
May 8	Mason Coxton	Washing	2 52
	William Yates	One horse	140 00
May 12	The Nation Company	Advertising	5 85
	H. Michelas	Repairs	5 25
May 18	National Republican	Advertising	9 75
	Daily Critic	do	3 75
	Evening Star	do	6 00
	D. S. Jones	Postage	5 00
May 21	A. D. Stone	Messenger	15 00
May 23	S. Bernheimer	Cartridges for pound	5 20
	James A. Dodd	Repairs	4 00
May 29	J. C. Wilson	Rent	110 00
	F. S. Mechlin	Salary	49 31
	D. V. Colclazier	do	13 15
	F. M. Draney	Transportation of offals	560 00
	J. C. McGinn	Salary	100 00
	D. W. Bliss	do	83 33
	John Marbury, jr	do	83 33
	C. L. Hulse	do	39 45
	S. M. and H. C. Jones	Forage	19 09
	Pay-roll of employés		1,170 00
	C. C. Cox	Salary	83 33
	J. M. Langston	do	83 33
	T. S. Verdi	do	41 66
	D. V. Colclazier	Sanitary work	32 87
May 31	W. D. Mack	Clerical work	50 00
	W. H. Hawkins	Pound service	34 37
	Andrew Elliott	do	34 37
June 1	J. B. Adams	Stationery and printing	18 50
June 2	James Miller	Pound service	19 37
	John Wells	do	19 37
	J. T. Springmann	Repairs	10 00
June 4	The Sanitarian	Subscription	3 00
June 7	Washington Gas-Light Company	Gas	2 93
	Adolf Cluss	Special sanitary work	80 00
	Samuel Einstein	Use of horse	15 00
	John Marbury, jr	Postage	10 00
June 16	S. D. Castleman	Disinfectants	9 00
	Samuel Einstein	Horse-hire	2 50
	Kennebec Ice Company	Ice	8 10
	Mason Coxton	Washing	2 52
	I. S. Clark	Printing	41 00
June 19	J. M. Langston	Salary	83 34
June 22	Mrs. A. H. Whiting	Stationery	5 80
June 23	T. S. Verdi	Salary	41 66
June 25	C. C. Cox	do	83 34
	D. S. Jones	Postage	5 00
June 27	Pay-roll of employés		1,318 34
	F. M. Draney	Transportation of offals	560 00
	J. C. Wilson	Rent	110 00
	I. S. Clark	Printing	18 00
	Francis Carter	Disinfectants	4 00
	Kennebec Ice Company	Ice	9 00
	John C. Hogan	Awnings	3 25
	John Marbury, jr	Salary	83 34
	D. W. Bliss	do	83 34
	P. T. Keene	do	166 66
June 29	J. B. Adams	Stationery	65 15
	J. T. Springmann	Repairs	7 15
	D. S. Jones	Postage	2 43
	S. M. and H. C. Jones	Forage	24 20
	S. Bernheimer	Cartridges for pound	5 20
	Total disbursements for fiscal year..		32,902 50

Vouchers for all expenditures have been forwarded to the proper accounting officers of the government.

JOHN MARBURY, JR., *Treasurer.*

Examined and found correct.

R. B. WARDEN,
C. C. COX,
Auditing Committee.

Dr. T. S. VERDI, *President Board of Health.*

REPORT OF REGISTRAR OF VITAL STATISTICS.

BOARD OF HEALTH, OFFICE OF REGISTRAR,
Washington, November 27, 1877.

GENTLEMEN: At no time since the act of Congress directing the board of health of this District to "make and enforce regulations to secure a full and correct record of vital statistics, including the registration of deaths and the interment of the dead in said District," have we had, in the aggregate, more cause for congratulation in being able to comply with the requirements of this law than in the complete exhibit accompanying this review for the year ending September 30, 1877.

This is greatly to be attributed to the promptitude with which the physicians of this District have responded to the regulations which the board of health have from time to time, after mature deliberation, deemed it expedient to adopt, in compliance with the spirit of said act.

Whatever prejudices may have been engendered heretofore by the exercise of the power vested in the board by said act, they have gradually abated in proportion as the knowledge has become diffused that such exercise of power has in every instance operated, as intended, for the good of the entire public.

The certificates of death, from whatever causes, and which the law requires shall be systematically registered in this office before formal permit of burial is granted, not only operate as a check upon criminally designing persons, but, when recorded, form testamentary evidence of great value to the public, as well as being of especial importance to sanitarians in determining the results of various measures adopted to abate the diseases attributed to "germ" propagation.

In reviewing the large number of death-certificates which have been returned to this office during the past year, less, however, than during any year since our returns have become complete, and considering also the great variety of diseases enumerated in these certificates as causes of death, we are led to make some observations upon the three principal elemental conditions, more or less in constant operation, and accounting largely for the great number and variety of the diseases classified in our mortuary tables.

These three conditions are, impure air, impure water, and impure food; and we propose to dwell briefly upon the same in the interest of and for the instruction of the masses of the people, or such as may not have had the advantage of education in sanitary science.

Upon the receipt of a certificate indicating death to have been caused by a contagious, zymotic, or infectious disease, we at once notify the health officer, whose duty it is to inspect the premises indicated, and upon proper data, to advise the family of the dangerous character of the disease, and to cause precautionary measures to be employed to prevent its dissemination.

To this end he directs the removal of carpets and superfluous clothing in the room where the patient may have been confined; distributes disinfectants; orders the destruction of bandages, lint, and sponges saturated with discharges of the patient, attends to thorough ventilation, and institutes such other sanitary measures as the exigencies may require.

Special care is taken to obviate the retention of discharges in vessels, and to have such vessels disinfected immediately after use.

These precautionary measures are based upon the theory that porous substances absorb the germs of disease. That these germs result from putrefactive fermentation of the discharges of the patient, induced by

chemical changes arising during their exposure to heat, moisture, and the surrounding air. That during these chemical changes certain morbific, microscopic elements, similar to those which destroyed the first patient, are disengaged, and floating in the air, are liable to be drawn into the lungs of other persons, contaminating their blood.

In this way a whole neighborhood may be infected and the disease so disseminated as to constitute an epidemic.

The element of contagion giving rise to disease is now believed to consist of definite particles, sometimes floating in gas, or in the air we breathe, or in the water we drink.

These particles or germs, like organic seeds in the soil, multiply, as is supposed, indefinitely, in situations favorable to their development, or in suitable media. And the strongest probability exists that these particles are living things.

In support of this assumption may be mentioned some experiments made during the past two years by Professor Tyndall, of London.

He chopped a beef-steak in small pieces, steeped it in water, raised the temperature a little over 100°, poured off the water, filtered it, and got a perfectly clear liquid, or transparent beef-tea.

Half of this clear beef-tea being placed in a bottle, uncorked, and therefore exposed to the air, soon began to be turbid, and, examined under the microscope, was found to be swarming with living organisms.

The other half of the clear beef-tea as originally prepared, having been securely sealed from exposure to the air, had remained for a period of eighteen months, and still remained perfectly transparent.

Both these samples, the clear and the turbid beef tea, being placed in open dishes, a fly dipping its foot in the turbid fluid, swarming with living organisms, and then conveying this small quantity over to the clear transparent liquid in the adjoining dish, the contents of the latter soon became as bad as its neighbor.

The slightest contact of the turbid and swarming liquid with the clear and transparent was sufficient to infect the latter, and in forty-eight hours it was swarming with myriads of microscopic animals.

The principle here is similar to that of inoculation, as when the surgeon dips the point of a lancet into vaccine lymph, to vaccinate.

The identity is strengthened by the fact that in the experiment of infecting the clear liquid, by conveying a particle of the turbid into it, there was a period of incubation, as there is in other inoculations.

In proof that the contagion of communicable diseases is not gaseous or liquid, but consists of solid particles held in suspension in them, Professor Tyndall related that some two years ago he prepared a place from which all floating particles of dust were excluded. In this receptacle he placed a number of vessels containing animal and vegetable refuse, and also a vessel each containing, respectively, perfectly clear beef-tea and mutton broth as transparent as water, in both of which the chance of any living organism being present had been destroyed by heat.

Although all these vessels had stood, during the period of at least a year and a half, side by side, there had been no communication of contagion from one to the other, the beef-tea and mutton-broth remaining as transparent as when put in, though the other vessels emitted the most noisome stench.

But when the professor introduced a tube into one of the putrefying masses, and, by blowing, caused bubbles to rise to the surface and burst, and the spray of these bubbles, floating in the air, was allowed to fall on the transparent beef-tea or mutton-broth, in forty-eight hours they became alive with animalcules.

The inference drawn from these experiments is that it is not sewer-gas, as gas, which does mischief in causing diseases, but it is these living particles which are suspended in the sewer-gas, which, being driven up into dwelling-houses, find suitable media in which incubation takes place, and disease results.

With regard to the power of disease poisons to be generated in decomposing animal matter, Professor Tyndall said he had been in the habit, for the last twenty years, of visiting the Upper Alpine valleys, where, among the Swiss chalets, there was the most abominable decomposition going on from day to day, and exceedingly bad smells, but there these contagious diseases were entirely unknown.

There must be something more than simply bad smells to cause contagious diseases. Certain germs or living animalcules must be engendered and added to the noxious gas.

If, as Professor Tyndall further stated, this living organism were added to the gas arising from the decomposition of refuse surrounding the huts of the Swiss peasants, as by the transportation there of a patient having typhoid fever, the disease would spread like wild-fire from this infected focus, and would affect the entire population.

It is further believed that the germs of disease are distinct, and always breed true—that is, that the germs causing, for instance, small-pox can *only* cause small-pox; and that the living organisms giving rise, respectively, to any of the contagious diseases vary as much from each other as do the seeds producing different vegetables. In other words, if the farmer plants potatoes the crop will be potatoes, and not corn, beans, or oats. The virus or disease-germs of typhoid fever never produce diphtheria or scarlet fever, or any other disease except typhoid fever; and the same law applies to the disease-germs peculiar to other contagious diseases. Each one reproduces only its like.

Accepting, then, as a fact the existence under certain circumstances, and their presence in the surrounding air we breathe, of microscopic animals so small as to be inhaled into the lungs and to pass into the blood, causing a so-called fermentation, resulting in some contagious disease, our next inquiry, simply to elucidate for the information of those supposed to be unfamiliar with these subjects, should be directed to the common sources or breeding places in which these devastating animalcules or pernicious particles generate.

Unquestionably sewers, the grand receptacles for every variety of animal and vegetable refuse, constitute the crucibles in which these deleterious disease-germs originate and multiply under chemical conditions favorable to their development. Among these favorable conditions may be specified the presence in the sewer of heat, air, and moisture, three conditions essential to the fermentative process.

It is important that the principles of sanitary engineering should be thoroughly understood and applied in the construction of sewers, drains, and the water supply in cities. It is only by the conjoint efforts of the best medical talent and the highest engineering skill that the city of London, with nearly four millions of people, and a less salubrious climate than that of Paris, presents a much less annual death-rate. This steady decrease of the percentage of mortality has followed their patient and repeated struggles to overcome mechanical defects in order to obviate chemical causes of disease.

The board of health of London made it their business to discover the existence of subtile agencies at work generating diseases; and the sanitary engineers, in co-operation with them, succeeded in devising ways and means of protecting the public, by the removal of the reeking

masses of filth, through a proper system of sewerage, far beyond the confines of the city.

The differences between efficient and inefficient sanitary engineering is strongly contrasted, as between the English system and that applied to the city of New York.

According to the records of the medical privy council of England, it appears that in thirteen towns of England, into which sewerage has been introduced, the average death-rate per 1,000 of the inhabitants before the introduction of sewers was 28.4, and that since their introduction the average was but 23.4 per 1,000, being a decrease of 17.5 per cent. per 1,000, while New York City, with its remarkably favorable topography, being less than two and a half miles in width at its widest part, encompassed by sea-water which washes its shores twice a day, added to the fluvial current of the Hudson River, and by nature possessing the elements of health to its inhabitants far in advance of any city in the world, has, by reason of imperfect sewerage, a death-rate greater by 20 per cent. than the inland cities of London and Paris.

While we have evidence that sanitary engineering was understood by the ancient founders of Jerusalem, Alexandria, Herculaneum, Pompeii, and Rome, very little, if any, of the principles of the science have been handed down to us, aside from the mute revelations made by their works still extant in some of the old cities mentioned.

It may be said that the problems involved in sanitary engineering have been solved by modern investigations and experiments.

Referring to the report of the commissioners of the Croton aqueduct to the common council, of the city of New York in the year 1866, the science of sanitary engineering, at this late date, was in a crude condition, "nearly all the sewers having been built without regard to any system," and thereby proving pestilential to the workmen engaged in sinking the water-mains.

The cause of this pestilential influence was traced directly to the imperfect construction of the sewers and communicating soil-pipes.

The joints of these pipes were not only very frequently insufficient in their connections, but the pipes, from inadequate support, had receded from their connections, and, as a consequence, fissures were opened, admitting of the escape of the gases from the sewer.

Similar imperfect conditions of the soil-pipes within the connected buildings were also found, added to which, in most cases, the traps had an insufficient flexure to afford the head of water necessary to resist the pressure of air in a sewer, the mouth of which is open to wind and tide.

Experience has shown that if sewers are not constructed upon scientific principles they become *foci* for the diffusion of mephitic vapors, it having transpired that in those towns where proper ventilation of the sewers has not been provided zymotic diseases are seldom absent.

The ancient Romans had a clear idea of the necessity of ventilation for underground conduits, and shafts were connected with them to allow the vapors to escape high into the air.

In the early drainage works of London the sewers were principally used for the conveyance of surface water, and their ventilation was not material; but as soon as the sewers were made to convey night-soil and other foul matter, being connected with soil-pipes directly within dwellings, the problem of preventing the regurgitation of the sewer-gases became one of vital importance.

It has been established by observations that in those periods when disease has become epidemic and no ventilation of sewers existed, the spread of the contagion has been facilitated by the pipes communicat-

ing between the sewers and the dwellings. These pipes act as direct channels through which the poisonous gas is conveyed from the sewers into the houses and from one house around into others. If, for example, sewer-gas enters a dwelling, especially at night, when, the house being closed, the atmosphere has become to a certain extent devitalized of its oxygen by the sleeping inmates, the addition to the already impoverished air of volumes of invisible but none the less noxious vapors, carrying clements of decomposition or the germs of disease, cannot fail to act injuriously upon health.

By reference to the various gases to be found in sewers, the causes of disease will be found to be multiple, corresponding in numbers to the principal zymotic diseases supposed to be caused by them, not to say more than simply allude to various types of disease which, it is possible, result from combinations of these gases, forming a *tertium quid*, the nature of which has not yet been demonstrated.

The fact that at one time small-pox may prevail, at another time diphtheria, or at another scarlet fever, would lead to the suspicion that different proportions of animal and vegetable matter undergoing decomposition (no matter where), or the addition of some peculiar element to them, leads to a preponderance of some one of the germs, thus enabling this germ to gain the ascendency and develop its peculiar class of disease.

The gases found in sewers are carbonic acid, nitrogen, carbureted hydrogen, sulphureted hydrogen, ammoniacal compounds, and fœtid organic vapors.

Carbonic acid gas is the result of combination of oxygen with carbonaceous matters, and is extremely poisonous to life when breathed in quantities; and if inhaled in a concentrated form, causes speedy prostration of the vital powers, followed rapidly by death.

Carbonic acid gas may accumulate in various ways—

1. By the respirations of many persons confined in a crowded and unventilated room. The records of this office have charged to this account numerous deaths of employés in the departments and government offices in this city.

2. By the combustion of wood-charcoal in close, unventilated rooms, as sometimes practiced with suicidal intent.

3. By the burning of limestone. Many deaths have occurred from the carbonic acid gas thus evolved and accumulating in the sleeping-apartments occupied by the workman.

4. By vegetable decomposition, including that of straw and sawdust, and especially by rotting wood pavements.

5. By fermentation in wine-vaults and beer-cellars.

Carbonic acid gas may accumulate at night in rooms where plants are kept; and is quite common as the result of combustion for purposes of warmth, of wood, coke, and anthracite coal. This gas may also accumulate in vaults, wells, coal-mines, as well as in sewers, and is liable to be mixed with carbureted hydrogen, otherwise known as choke-damp, or fire-damp, and from the ignition of this mines and sewers have, at times, been exploded. Ten per cent. of carbonic acid in the air we breathe will prove fatal to life, and we shall have occasion to refer to this fact again in noticing the large mortality incident to young children.

Nitrogen gas in sewers may be accounted for from the fact that oxygen in the surrounding air enters into combination with the organic compounds—the animal and vegetable refuse—causing their fermentation and decomposition. Inasmuch as the nitrogen of the air is not absorbed, and does not, like the oxygen, enter into this fermentative process, it is left free, and accumulates.

Carbureted hydrogen gas arises from decomposition of vegetable matters. It may be found in a free state, in marshy districts, abounding in decomposing vegetation. This gas is explosive when not sufficiently diluted with atmospheric air, on which account it may be unsafe to enter a sewer with lights unprotected by the safety attachment.

Sulphureted hydrogen gas is the principal noxious substance exhaled in privies and sewers, and is found, more or less, where compost has assumed a certain degree of putridity. It is distinguished by its disagreeable odor, and is heavier than atmospheric air. This gas, also, has been known to explode sewers. It is the most poisonous of all the gases of known composition. Experiments have shown that one part of sulphureted hydrogen gas in two hundred and fifty parts of atmospheric air, if respired by a horse, will kill the animal. One part of this gas in five hundred of air will kill a dog; and one part of it in fifteen hundred parts of air will kill small birds. Workmen exposed to an atmosphere containing one part of sulphureted hydrogen gas in one hundred thousand parts of air, are seriously and often dangerously affected. The ammoniacal compounds, especially the hydro-sulphuret of ammonia, is also often present with sulphureted hydrogen, and results from evaporation and decomposition of sewage by heat, and is apt to generate or accumulate rapidly from sudden accessions of hot water emptying into the sewer.

Fœtid organic vapor, which is more or less present in all sewers, is the most dangerous medium yet discovered to be a cause of diseases.

It is this noxious vapor in which the disease germs float, the same as the fine pollen of flowers floats about in the surrounding air.

This brings us to the consideration of the importance of scientific plumbing as has been heretofore forcibly urged by our intelligent and efficient health-officer, and we fully concur with him in his strictures upon the ignorance, if not actual criminal neglect, displayed by plumbers in their omissions to construct suitable traps in the soil-pipes connecting our dwellings directly with the sewers.

We have observed instances, even in recently-finished houses, in which the traps have been placed vertically, or in other malpositions, so as to be effectual aids to the constant escape of sewer gas into sleeping-apartments; and have also noticed many water-closets in which no pretense whatever exists in the form of barriers to the entrance of this villainous exhalation into our dwellings, sowing the seeds of death in every direction. Even when the plumbing-work is up to the standard of modern ideas of improvement, there are causes at work in the sewer which may counteract our best laid plans. Scientific plumbing-work is intended to insure a copious flow of water through the closet whenever required to remove deposits, and also to retain a sufficient amount of water in the traps to resist the pressure of the gas seeking to escape from the sewers which are not sufficiently ventilated.

The system of manholes, as they are called, cannot compare in safety to public health and in efficiency for ventilation to the old Roman plan of tapping these underground conduits with pipes towering high in the air to convey the foul gases beyond the reach of being respired.

A few days ago two little boys, with the curiosity and imprudence of children, lay down, with their heads over a manhole, probably peering into the mysteries of Hades, and were found in this position by the workmen a few moments after, having died from respiring the sewer-gas.

In addition to carrying off the constantly forming gases, ventilation of sewers also acts as a safety-valve against the rapid expansion and

compression of the gas either by sudden accessions of hot water pouring into the sewer or the influx of wind and tide, the tendency of both being to exhaust the water from the traps, leaving no barrier to the escape of the gases which may thus have free access into our dwellings and offices for hours before the evil is remedied by a fresh flow of water into the trap, occasioned by the use of the closet.

The flowing in of the tide or wind through the mouth of the sewer, acting like a piston in a cylinder, forces the gases up through the ramifications of the connecting-tubes with such force as often presses the sewer-gas through the water in the traps, and may actually drive the water itself out of the traps. Hence it is that during storms our dwellings are flooded with sewer miasms.

A not uncommon error in the construction of houses is that of having the pipe which leads the rain-water from the roof empty into the drain connected with the soil-pipes leading from closets. This water leader being charged full by a shower of rain, and being superior in the height of its column to that of the traps of the soil and waste pipes, will exhaust of water all pipes and traps connected with it, thus offering means of direct communication and exit of gas from the sewers, which in an unoccupied building might remain open for months, completely saturating a neighborhood with the pestilential vapors, and scarcely failing to establish an endemic disease.

In buildings of several stories, in which may be two or three water-closets in rooms respectively located one above another, it is quite common for the upper traps to be exhausted by the emptying suddenly of pails of water into the lower closets. The sudden drain thus caused sucks the water down from the upper pipes, and leaves them unprotected and open to escape of sewer-gas.

Still another source of this exhaustion of water from the traps is found when a fragment of cloth, a rag, or a string has been arrested within the trap, and hangs over it into the soil-pipe. Here capillary drainage of the trap occurs somewhat on the principle of a syphon.

While some of these suggestions may seem trivial and out of place in a report on vital statistics, they really come within our province, inasmuch as vital statistics not only include statistics respecting the *duration* of life, but also take cognizance of the *circumstances affecting* its duration.

The most vigilant efforts of the Board of Health to control zymotic diseases cannot successfully contend with constantly recurring instances of gross ignorance and criminal negligence of hygienic principles; nor can the most skillful physician expect satisfactory results in the management of his patients, lying in rooms the atmosphere of which is being constantly replenished with fresh relays of sewer-gas, containing the very germs of the disease under treatment.

We respectfully suggest that owners of buildings be required to obtain from the Board of Health *permit* to connect waste-pipes with the sewer, the mode and materials of which connections to be subject to the approval of the Board of Health.

A certificate to the owner that the same had been carried out upon sanitary principles, would amount to a "bill of health" of the building, and would be valuable to both lessee and lessor.

The mere evidence of odor, or its absence, is not necessarily an indication, or otherwise, of the danger, for the reason that odorous gases may be harmless, with the exception of sulphureted hydrogen, while some which are most pernicious are usually devoid of smell.

One of the most efficient remedies against these gases, in the absence

of law empowering Boards of Health to superintend the plumbing-work throughout our dwellings and public buildings, and to compel plumbers to attach proper traps to all waste pipes, is to open the doors and windows, and solicit the aid of Æolus with his winds to scatter the germs of disease beyond the reach of the occupants.

Many sleeping-rooms are so devoid of facilities, as not to admit the passage of currents of air. They are in the form of a *cul-de-sac*, with a door opening into them, but no window or other door through which a current can sweep.

Builders should construct rooms with apertures admitting air, not only into rooms, but through them; so that by opening the ventilators, a direct current of fresh air may sweep out and replace the vitiated atmosphere accumulating.

The large mortuary percentages against the poorer classes in city tenement houses, in which the sleeping-rooms are unventilated, what little oxygen there is being reduced, and carbonic-acid gas as rapidly formed by the respirations of the crowded sleepers, each one aiding to poison the others, should impress upon the minds of legislators the importance of an enactment which will compel builders not only to be governed by such sanitary regulations as the Board of Health may approve, in the construction of buildings hereafter, but, if possible, should act post facto, compelling owners to so alter present unventilated apartments as to insure against the evils of vitiated air.

By this means much sickness may be prevented, even among the most impoverished classes, who, as a rule, pay the least regard to cleanliness, and in fact often cannot avoid having their miserable tenements filled with vile exhalations from decomposing filth dumped in the alleys surrounding them; and these deadly vapors, permeating through the open doors during the day, find no exit at night when the tenements are closed, but are held, as in a trap, accounting for much of the infant mortality, as well as for the immense numbers of adults who die from pulmonary diseases, especially in this city.

Our legislators and opulent citizens, promenading the wide and scrupulously clean streets and avenues of this city, have a very faint and indefinite idea of the sources of complaint to which we refer. But if they could be induced to extend their peregrinations into the slums and alleys, inhabited mostly by colored and very poor white people, their ideas might be somewhat modified. *Such a stroll would tend to bring them to a realizing sense of the enormity of foisting upon this District an economy that has seriously crippled the humane efforts of the board of health during the past year—an enforced retrenchment which trifles with human life, and has rendered our best efforts comparatively useless in stamping out and preventing zymotic diseases.*

By reference to our subjoined mortuary tables it will be seen that although year by year heretofore the death rates from zymotic diseases have steadily decreased, yet, during the last year diphtheria and scarlet fever have enormously increased, and have been particularly fatal, and this fact is directly traceable to cutting down the appropriations so that our board has been obliged to dismiss several sanitary inspectors, and otherwise abridge its power to protect the people against their own ignorance.

Six thousand seven hundred and eighty-four tons of garbage, over five hundred and sixty-five tons per month, have been removed from these slums and alleys during the past year, and there has been no day when they were free from abominable smells arising from evaporation of slops.

Over one-half of all deaths from aggregate causes have occurred among children under five years of age.

In a former paragraph we alluded to carbonic-acid gas as a prominent agent accomplishing this result. It is well known that 10 per cent. of carbonic-acid gas in the surrounding air is fatal to life. Aside from the other conditions mentioned, in which carbonic-acid gas accumulates in unventilated rooms, much of the infant mortality is doubtless due to the common habit of covering the faces of children, literally burying them completely under the bed clothes, prompted by the mistaken notion, on the part of mothers, that the infants' lungs are too delicate to breathe fresh air.

Now, it is also well known to physicians that air once breathed contains 8 per cent. of carbonic-acid gas—only 2 per cent below the amount necessary to destroy life. The child, breathing under blankets where the supply of air is necessarily very limited, and what there is has been already contaminated by the causes mentioned, has only to wait, unconscious of its danger, for the accumulation of the extra 2 per cent. of carbonic-acid gas. It is not unreasonable to suppose that the infant, with lungs too weak to exert sufficient suction power to draw other air through the pores of the blankets, and being obliged to inspire over and over again the confined, poisonous carbonic-acid gas immediately surrounding it in the limited space under its coverings, will finally succeed in generating the extra 2 per cent. necessary to insure its suffocation.

Allowing these observations to suffice at present in directing attention to *impure air* as a cause of disease, and its capacity to cause epidemics of no less magnitude and virulence than the great plague of London, which was planted and reared in the rush-covered floors of domiciles saturated with the organic refuse of years, there remains yet to be considered, briefly, the other two grand sources of disease forming the tripod of death, namely, *impure water* and *impure food.*

The solvent powers of water exceed those of any other liquid known, and it has an extensive range of affinities. Hence it is that it is almost impossible to secure natural water free from impurities, and why almost every substance in nature enters into solution in water. If water meets, in its passage over or through earth, magnesium, potassium, aluminium, iron, arsenic, or other metallic element, it dissolves a part of them, and they are diffused through the water as impurities. A like result follows if water meets in its flow a vein of salt in the earth, or if in its passage through the air, as in showers of rain, it meets with floating particles of dust and various gases, they are absorbed and are diffused through it as impurities

It will be readily understood what an important part water plays in our very existence when we remember that 75 per cent. of our whole body is constituted of the elements of water; that not less than 95 per cent. of our healthy blood and not less than 80 per cent. of our food are also water.

Physiologists are familiar with the fact that water is directly and indirectly the agency that dissolves our food, and is the vehicle by which the appropriate parts are transmitted in the body, conveying to the bones phosphate of lime, to the muscles fibrin, &c.

The amount of water in the system is constantly being reduced by the secretions and perspiration. When the stomach is in healthy condition, nature calls for water in just the required amount through the sensation, thirst. The water drank enters the general circulation very rapidly, and is at once conveyed into the blood by venous absorption. If the water is good it assists nature by regulating the digestive fluids,

and repairs the losses by perspiratory, secreting, and exhaling organs. If impure, it as rapidly conveys into the system the germs of disease, and while satisfying some of the demands of the system, it almost inevitably disorganizes the blood and produces disease.

The opinion is gaining ground rapidly in this country and in Europe that epidemics of typhoid fever are quite often caused by drinking water into which have percolated the soluble elements of human excreta.

This subject has lately engaged the attention of Professor Lattimore, of Rochester University, New York.

The attention of the board of health of that city was directed during the past summer to some forty persons who had contracted typhoid fever by drinking the water of a certain well. The board requested the physicians of the city to report specially on all similar cases. The numerous cases of which knowledge was thus gained were examined, and the relation of the water which was used, to cess-pools, sewers, and privy-vaults, was noticed.

Water from the suspected wells, on examination by Professor Lattimore, was found to contain large quantities of salts, and the argument is that, as a large proportion of salts taken into the system is again passed out in modified forms and escapes into the water-closet or the house-drain, sewage might be expected to contain a large amount of various salts, and analysis proves this to be the case.

As the sewage works its way through a porous soil or through crevices of rock, it carries the salt with it, and the presence of more than a very few grains to the gallon in well or spring water is considered positive evidence of the vitiated chararcter and consequent unwholesomeness of the water of such well or spring for drinking purposes. It is considered evidence that the soluble portions of cess-pools have percolated through the earth, mingling with the little streams which lead into the well or spring, thereby contaminating the drinking-water which supplies a family or a neighborhood, and thus becomes the vehicle for conveying directly into the system the poisonous elements of disease, quite as effectually as it would seem other elements of disease may be conveyed into the blood through the medium of the air breathed.

It does not appear to have been ordained in the economy of nature, however, that chemically pure water is preferable for man. The purest natural waters found upon the earth are usually those that have come down in natural streams from granite hills. A gallon of water weighs nearly sixty thousand grains. The best potable waters have from one to eight of these grains weight, in each gallon, of certain impurities diffused through them. These impurities are derived from two sources: the one from minerals, the other, directly or indirectly, from living organisms. The first are termed mineral impurities, and the other, organic impurities.

The mineral and metallic combinations in water are generally considered to be medicinal. It is the organic impurities which indicate contaminations likely to be harmful to the human constitution, especially if such impurities are the products of animal decomposition, held in solution in the water drank. The effects of such water upon children have been observed to be more pernicious than upon adults, and many infants *in utero* have been destroyed by contaminated water imbibed by the mothers, respectively, whose hardier constitutions could withstand assaults under which the delicate organism of the fœtus would succumb, thus explaining the occasional occurrence of epidemics of abortion.

Regarding atmospheric impurities, which offer to falling rains ever-present sources of contamination, these arise from constant disinte-

gration of mineral and organic matters, and their dissemination in the atmosphere. The air is burdened with a mass of particles pulverized to transparency, and which may be seen by means of a ray of sunlight passing through a dark room, and which are observed to be constantly moving, as if by currents, although not a breath of air is felt to move in the room. The general atmosphere is constantly being contaminated by the respirations of all animate beings, the products of combustion in furnaces and dwellings, and the decaying dead animals and vegetables, continually evolving into the air poisonous gases. These are all soluble in water, and the mists and showers absorb them freely.

Ehrenberg states that, exclusive of inorganic substances, he has detected three hundred and twenty species of organic forms in the dust of the winds. Hence the so-called pure waters of heaven are fouled with solids and gases before they descend to the earth.

Carbonic acid in rain-water that soaks through foul surface-soil, gives the water power to carry down to the wells a superabundance of impurities. The presence of ammonia is an indication of recent contamination of water with decaying organic matter, which undergoes further changes by oxidation and exposure.

Another source of water-pollution arises from the death and decay of the animate aquatic organisms. Nearly all of these must rise frequently to the surface of the water to secure their necessary share of atmospheric oxygen to support life.

If any of these, not having tracheal gills, or their equivalents, to enable them to breathe a long time the oxygen of the water, happen to be drawn into water-pipes supplying our dwellings, and are thus cut off from atmospheric oxygen, they soon perish. Then, if the water is not very cold, their decomposition soon commences, and an offensive gas from their bodies enters into solution with the water, the health-giving properties of which it is not to be supposed are materially improved by the admixture.

Among the organic products which are prolific sources of contamination of water, may be mentioned those arising from certain manufactories and works. Prominent among these may be enumerated the washings of wool, and the refuse of vegetable dyes used in woolen-mills; the washings of old rags and foul linens used in paper-mills; the scrapings, bark, and liquors of tanneries; and the refuse and liquors of glue-factories, bone-boiling and soap works, pork-packing establishments, slaughter-houses, and gas-works.

But the most foul and deleterious of all artificial pollutions which the ignorant and careless of humanity allow to reach the streams feeding the water-supply for drinking and culinary purposes are the drainage of cesspools, sewers, pig-styes, and stable-yards; and to this source of poison may be traced many cases of endemic disease in country towns and hamlets which nature has created beautiful and salubrious, but which man, in the density of his ignorance, perverts, to his own and the destruction of his neighbors.

If drinking-water is allowed to absorb the festering matters from the sources of pollution named, by percolation through the ground or directly in the stream, the drinking-water becomes a direct vehicle for conveying into the blood and tissues of all who use it the elements of disease, and hundreds of deaths may follow before the origin of the mischief is detected. In fact, it is claimed that, as the products of the humors and fevers of each individual in large part escape from the body in the feces and urine, if by chance such excreta alone should be allowed to contaminate the source from whence a community derives its

supply of drinking-water, that community would be effectually poisoned and afflicted with the same type of disease, the germs of which were held in the excreta, notwithstanding the water, by drainage through the porous earth, might present all the transparency, free from odor or taste, characteristic of pure water.

The filtering of water is our chief safeguard.

In concluding our present reference to some of the more important sources of water-contamination, we will briefly advert to the use of ice gathered from water which is unfit for drinking before freezing. Chemistry has demonstrated that ice is not entirely purified by the process of crystallization. The sickness at a popular hotel at Rye Beach, N. H., in 1875, and confined to this hotel alone, was traced unmistakably to the ice used there, and which was gathered from a small stagnant pond.

The facts above set forth, as attested by evidence obtained in this District, and corroborated by data elsewhere, warrant us in urgently advising not only that our citizens filter all the water used for drinking purposes, but that they take steps to procure the erection of a suitable "settling-reservoir," which will deprive the Potomac water of much real estate which at almost every shower is brought down to us, and we are forced to drink in suspension.

We would by all means discourage the use of pump and well water, for the reasons mentioned.

The last of the prominent causes of disease, though not necessarily the least in its deleterious effects upon health, especially of children, is found in great variety in impure food, whether the result of intentional adulteration; arising from chemical changes incident to decay; or from consumption of articles intended by nature for food, but eaten before becoming thoroughly ripe.

Before proceeding to an enumeration of some of the principal adulterations of food practiced for purposes of gain by unscrupulous dealers, we may be excused for revamping a few anomalous cases showing that the human stomach of the adult, in a state of vigorous health, may withstand some wonderful assaults in the way of being called upon to digest articles not enumerated in our dietary list.

Man being an omnivorous animal, capable of living on a mixed diet, can live in any country, from the arctic to the torrid zones. He travels from "Greenland's icy mountains to Afric's golden sands," with the assurance of being able to live on any kind of food which may be found. Likes and dislikes of certain kinds of food are, to a great extent, formed from the habits and opinions of those with whom he has been reared. The aristocrats of China consider sea-slugs a great delicacy. The Icelandic beau, when he visits his lady-love, regales her with a pound or two of tallow. The dusky savages of the interior of Africa delight quite as appetizingly over a delicate slice of boa-constrictor as does the Saxon in front of his plate of roast beef and plum-pudding. And the family of a Rocky Mountain Indian consider they have dined sumptuously if there is only enough stewed dog to go round, nor are they over-punctilious regarding the removal of the hair and entrails before the brute is souzed into the boiling caldron. Neither is it indispensable to the healthy stomach that flesh, before eaten, shall have been previously killed for that purpose, or that it shall be eaten at once.

Sailors on a wreck have fed on the corpse of a starved companion without any of those painful results which often follow eating tainted flesh. The gourmand keeps venison till it becomes partially decayed, before it acquires the delicious flavor which meets the approval of the epicurean taste. To persons uneducated to such a delicacy, the meal

seems freighted with "death in the pot," steaming with an odor which would be pronounced villainous in a fat-rendering establishment.

The boiling drives off the pernicious gases formed in the tissues of the meat during the process of decomposition; the gastric juices neutralize any remaining effects of the taint; and the softness of the tissues, resulting from the decomposition, prepares it for rapid digestion.

But these are merely exceptions to the rule that pure, unadulterated, untainted food is an essential in the maintenance of good health. Otherwise, there would be no need of the constant supervision by our inspectors, and their condemnation of hundreds of loads of spoiled meat, fish, oysters, vegetables, and fruits, which are yearly brought to our markets.

In the matter of pork alone, swine have been considered, from remote antiquity, by Jews and Mohammedans, to be unclean beasts. Inasmuch as they feed on all manner of garbage, without reference to decomposition or putrefactive fermentation, and that their flesh is liable to be diseased and to contain minute worms—the *Trichinæ spiralis*—and which worms, or the microscopic eggs in which they exist, imbedded in the substance of the diseased pork, resist not only ordinary forms of cooking, but even withstand the action of the gastric juice, which will dissolve iron, it is not surprising that pork should have come under the ban of prohibition.

The minute eggs containing the worms, coiled up in a spiral form, pass into the general circulation of the unfortunate partaker, and are carried in the blood to all parts of the system. The muscles, however, seem to be their final and favorite resting-places. The eggs, deposited in the substance of the muscles, lie there until the worms are hatched out; whereupon they feed upon the surrounding tissues, causing, when numerous, intense suffering and death.

Sandwiches of raw smoked ham are particularly dangerous, as liable to contain the *Trichinæ.* Sausages, frequently made of the poorest odds and ends of pork and the scrapings of bones, and highly seasoned to hide the fraud, are the most dangerous of all the forms in which *Trichinæ* may be disguised; and as they are frequently eaten raw, the invasion of the human system is inevitable and almost always fatal. Our own and other mortuary tables attest this fact.

The diseases caused by eating bad meat are enteric and scorbutic, phlegmonous and septic, which last term is here used to explain that a butcher, handling diseased meat of animals, should he happen to cut himself with the knife used in dressing the meat, would have a poisoned wound which would be very apt to give him great trouble, somewhat upon the principle governing dissection wounds.

English parliamentary investigations proved that the meat of animals dying with disease of the lungs and kidneys is unfit for human food. The diseased meat is soft, flabby, and darker in color than the meat of healthy animals, and is principally disposed of to the poorer classes, being disguised in highly seasoned sausage.

The *Trichinæ spiralis* is sometimes found in other animals besides the hog, as in sheep, foxes, and various game. Other parasites are the *cysticerci* or *measles*, found in beef and veal, and which form tape-worms. Sheep are also liable to be infested with the hydatid, and with flukes. Meat may sometimes become unfit for human food by the diet of the animals. Partridges become poisonous at certain seasons in this country by eating the laurel. Hares and prairie hens also sometimes become poisonous by reason of certain food they eat. It is said there are about seventy species of fish that are known to be poisonous to a greater or

less degree, many of which are rendered poisonous by eating other fish, and lately *trichinæ* have been discovered in shad.

In addition to the chances we necessarily incur of being made sick by the causes enumerated, many of which are beyond detection in time to avoid the evil, we have frequently to contend against the willful and criminal adulteration of food.

The flour of which our bread is made is often adulterated with alum, clay, bone-dust, and carbonate of magnesia. Subcarbonate of ammonia and sulphate of copper are used when the flour is sour, moldy, or otherwise spoiled.

Cheese is occasionally adulterated with red lead to give it a rich appearance. The effects of lead in producing colic and paralysis are too familiar to require more than the mere statement.

Chocolate is often adulterated with fat, yolk of eggs, the flour of beans and peas, and with gum and soap.

Table-salt, so indispensable to health, and without which a person will in time become sick, is occasionally adulterated with carbonate of lime and chloride of magnesia.

Hog's lard, if used after it has become a little rancid, will act as a direct poison through the medium of puffs, krullers, and other articles of food into which it enters in cooking. Many cases of cholera infantum have been traced directly to this cause, amounting often to acute gastritis and enteritis.

Many vegetables are nowadays preserved in their green state, and kept in the condition known as pickle, and are intentionally colored a bright green by means of copper added to the vinegar.

It is not uncommon to find in cook-books directions for boiling the green fruit in vinegar with pieces of copper, or to allow the pickles to stand for a considerable time in brass vessels, the action of the vinegar on the brass causing evolution of subacetate of copper, which is a virulent poison.

We have only room to give a brief history of one case showing the poisonous effects of pickles prepared with copper, as described by a prominent medical author:

A young lady, very fond of pickles, ate two or three just before dinner. She very soon was seized with excruciating pain in the stomach. Four days thereafter she was seized with vomiting, which was uncontrollable for five days, at the end of which time she died in great agony. A post-mortem showed several perforations of the stomach, which were ascribed to the effects of the copper contained in the pickles.

Several prosecutions of grocers in London have developed the fact that tea is often adulterated with subacetate of copper, known as verdigris, for the purpose of imparting a fresh green appearance. Many persons have been poisoned thereby, the symptoms being great pain in the stomach, nausea, retching and vomiting, followed by extreme faintness and cold perspirations, and possibly collapse and death.

Various articles of preserves are occasionally found adulterated, according to their color, with red lead or copper, the latter of which has been found in preserved citron, plums, and angelica root.

Nearly all the bright and beautiful colors imparted to candies are produced by the use of copper, lead, and arsenic. The yellow color is given by chrome-yellow, a preparation containing lead and gamboge, the latter of which is a drastic purgative. The green color is given by Scheele's green, which contains arsenic and copper; and the red color is obtained by the use of vermilion, an article which contains sulphuret of mercury, and is in addition frequently adulterated with lead.

The soda-water, in such great demand in summer, if prepared in vessels in the construction of which lead and copper are used—and which poisonous metals, by the way, are generally employed in some form in the manufacture of soda fountains—may offer two chances of being poisoned slowly by the salts of the lead and copper.

In short, the subjects of poisoned drinks and adulterated articles of food cover such an extensive field that volumes have already been published; but, unfortunately for the masses who unconsciously are the great consumers, these works have generally been addressed to the medical fraternity, and have so bristled with technical terms as to be almost unintelligible to those whom they were intended to benefit.

A few observations on milk and its capacity for becoming the vehicle of conveying poison into the system are now in order, and we will briefly state that great excitement, in the city of New York, in the year 1848, arose from the discovery that so-called dairies were in operation in Brooklyn and on Long Island, in one of which 400 cows were crowded into a space covering 600 by 300 feet, and carefully fenced in; the business of the public being to drink the milk, not to know how it was made. These cows were fed on the refuse slops and grains of whisky distilleries and breweries. Such was the fondness of the cows for this vile compound that, after having fed upon it for a week or two, their appetites became so depraved that they were unwilling to take other food. In fact they soon became unable to eat substantial food; their gums ulcerated; their teeth fell out; their breath became fetid; boils broke out on their bodies, and their tails ulcerated and dropped off.

In this miserable condition the poor brutes were milked several times daily, and the milk was loaded with the poisons secreted from the blood of the diseased animals.

This milk was placed in large tanks and mixed with molasses, water, chalk or whiting, and then peddled out to the families of New York as pure Orange County milk.

The diet was occasionally varied by mixing with the distillery slops, rotten apples, sour potatoes, mouldy bread, and other swill collected in the gutters and alleys of the city. Cream was made by macerating in some of the swill-milk certain proportions of the brains of dead horses, sheep, dogs, and other carcasses.

We have no assurance that such milk is not sold in every city of the Union, especially to the very poor, to whom cheapness is an item of great importance.

Who shall say that of the nearly 2,000 children who perish annually in this District many of them are not directly murdered by these villainous frauds?

Our space will not permit pursuing these subjects further. Tomes have been published on the adulterations to which we have alluded. The remedies for many of these evils lie within reach of the heads of families, who have only to invoke the aid of the Board of Health to insure the co-operation of its officers in ferreting out the various infractions of the law, both civil and sanitary.

Thus it will be seen how we are surrounded by legions of unseen foes, which it is expected the Board of Health will baffle; and through this address to the intelligence of the masses we hope to secure their future co-operation in aiding us to reduce the mortality ratio of this District.

STATISTICAL.

The accompanying tables present a full statistical record of all the returns made to this office of births, marriages, and deaths during the year ending September 30, 1877.

The total number of births reported during said year aggregate 3,892, being 393 less than for the preceding year.

Of this number 92 are twin births, and of these 56 are white and 36 colored.

Of the whole number of births 2,167 are white and 1,725 are colored.

The percentage of births to the total population is 24.32 per 1,000.

The percentage of white births to the white population is 18.84 per 1,000.

The percentage of colored births to the colored population is 38.33 per 1,000.

The number of still-births reported is 372, being 7 less than during last year.

Of these, 142 are of white parentage and 230 of colored.

The percentage of white still-births to the white population is 1.23 per 1,000.

The percentage of colored still-births to the colored population is 5.11 per 1,000.

The total number of certificates of marriage received in this office for record during the year is 552. Of these, 271 are white and 281 colored.

In my annual report for 1876, it will be found that there were received 752 certificates of marriage; 200 more than reported during the present year.

I then took occasion to observe that the same probably did not represent more than one-third of the whole number of marriages solemnized in this District during that year, and ascribed such omission to neglect on the part of the clergy to comply with the law enacted for the protection, not only of the contracting parties, but of others whose rights may become involved.

Inasmuch as no improvement is apparent in this important statistical record, but, on the contrary, a decided falling off is shown, it is evident clergymen are still, with some exceptions, either negligent of this duty or are unwilling to recognize the registrar of vital statistics as the proper party to whom they should make such returns.

As public records are only valuable in proportion to their accuracy, it is to be hoped we shall not have to call attention to this omission in future reports, and that our efforts to present complete returns will meet with the co-operation of all our clerical agents.

The total number of deaths registered for the twelve months ending September 30, 1877, is 4,103,—143 less than during last year—being 2.56 per cent. of the total population, or 25.64 per 1,000.

Of this number, 2,102 were white, being 1.82 per cent. of the white population, and 51.23 per cent. of the total mortality; and 2,001 were colored, being 4.44 per cent. of the colored population, and 48.76 per cent. of the total mortality.

Table No. 4 exhibits the total mortality from all causes during the year, arranged by classes and orders, and giving longevity, nativities, color, sex, and percentage of each disease, class, and order to total mortality.

By reference to this table it will be observed that the number of deaths from zymotic causes is 1,032, being 25 less than last year; 6.45 per 1,000, or 25.15 per cent. of the total mortality.

With the exception previously noted when speaking of diphtheria and scarlatina, this shows a still more remarkably low rate of deaths from zymotic origin, when compared with that of other cities where correct records exist; and notwithstanding the natural increase of population, exhibits a still greater and more gratifying reduction of mortality as compared with the record of all previous years, and is largely attributable to the vigorous enforcement of our sanitary laws.

The number of deaths from miasmatic diseases is 934; being 22.76 per cent. of the total mortality, and 5.90 per 1,000 inhabitants.

Of the deaths from miasmatic causes, 552 were white, or .47 per cent. of the white population; and 382 were colored, or .84 per cent. of the colored population; showing more than double the relative proportion of deaths from this order among the colored population.

The total number of deaths from constitutional diseases is 994; being 24.98 per cent of the total mortality, or 6.21 per 1,000 inhabitants.

Of this number, 484 were white, or .42 per cent. of the white population; and 510 were colored, or 1.13 per cent. of the colored population; still showing that in this community there is nearly four times as large a percentage of deaths from constitutional maladies among the colored as among the white population.

The number of deaths from local diseases is 1,514, being 174 less than last year; 36.89 per cent. of the total mortality, or 9.46 per 1,000.

Of this number, 750 were white, or .65 per cent. of the white population; and 764 were colored, or 1.69 per cent. of the colored population.

The total number of deaths from causes classified under developmental is 462, being 11.01 per cent. to total mortality.

Of this number, 204 were white, or .17 per cent of the white population; and 258 were colored, or .57 per cent. of the colored population.

The total number of deaths from violence is 101, being 17 less than last year; 2.46 per cent. of the total mortality, or .62 per 1,000.

Of this number, 68 were white, or .06 per cent. of the white population, and 33 were colored, or .07 per cent. of the colored population.

Among the more prominent causes of death in this class were, drowned, 20; gunshot wounds, 9; burns, 16; making in the aggregate 45 deaths from these causes, or 44.55 per cent. of the total mortality from this class.

The greater number of deaths from zymotic diseases occurred during the months of June, July, and August, being 482, or 46.70 per cent. of the total deaths from this class.

The greater number of deaths from constitutional causes occurred during the months of February, July, and August, being 267—22 less than last year, and 26.85 per cent. from these causes.

The greater number of deaths from local diseases occurred during the months of January, February, and March, being 477; 63 less than last year, or 31.54 per cent. of the total mortality of this class of causes, of which the large preponderance was from diseases of the respiratory organs during the months of January, February, and March, and of diseases involving the digestive organs during the months of July and August.

The largest number of deaths from the class developmental, was during the months of August, September, and December; being 197, or 42.61 per cent. of the total mortality from this class, and is largely represented by the deaths of the extremely old and of new-born infants.

The largest number of deaths from violence occurred during the months of February, March, and July, being 36, or 35.64 per cent. of the total mortality from this cause.

The total number of deaths from phthisis pulmonalis is 609, being 14.84 per cent. of total mortality, and 3.80 per 1,000 inhabitants.

Of these, 313 were white, or 2.63 per cent. of the white population, and 296 were colored, or 6.57 per cent. of the colored population, showing an enormous percentage against the colored population.

The total mortality of children under five years of age reaches the number of 1,856, of which 788 were white and 1,068 were colored, also showing a vast preponderance of mortality against the colored population in this District, and which may safely be credited to the three sources of diseases mentioned in discussing the effects of impure air, impure food, and impure water.

Table No. 5 is a recapitulation of Table No. 4 by classes and orders.

In conclusion, we can do no better than to reiterate our congratulations heretofore expressed regarding the gradual but steady reduction, year by year, of the death-rate in the District of Columbia, and especially from preventable diseases, and which is due to the system of sanitary regulations inaugurated by the board of health, and carried out through the assistance of its accomplished corps of employés.

D. W. BLISS, M. D.,
Registrar Vital Statistics, Member Board of Health.

TABLE No. 1.—*Report of births in District of Columbia for the twelve months ending September 30, 1877.*

Month and year.	White.			Colored.			Grand total.	Twins.		
	Male.	Female.	Total.	Male.	Female.	Total.		White.	Colored.	Total.
1876.										
October	98	94	192	81	68	149	341	8	2	10
November	107	103	210	62	66	128	338	2	2	4
December	84	113	197	60	60	120	317	2	....	2
1877.										
January	126	115	241	105	73	178	419	4	4	8
February	77	104	181	62	77	139	320	4	4	8
March	82	73	155	85	74	159	314	12	2	14
April	60	74	134	50	55	105	239	4	4	8
May	79	78	157	86	57	143	200	2	2	4
June	78	83	161	56	61	117	278	8	....	8
July	92	86	178	97	88	185	363	4	8	12
August	91	79	170	80	86	166	336	4	4	8
September	113	78	191	69	67	136	327	2	4	6
Total	1,087	1,080	2,167	893	832	1,725	3,892	56	36	*92
Percentage to total births	27.90	27.78	55.68	22.94	21.38	44.32	100.00	....	....	....
Births per 1,000 (white and colored) inhabitants	9.45	9.39	18.84	19.84	18.40	38.33	.....	....	....	....
Births per 1,000 (total) inhabitants	6.80	6.72	13.52	5.59	5.21	10.80	24.32	....	...	....

*Included in total number of births.

TABLE No. 2.—*Report of still-births in District of Columbia for the twelve months ending September* 30, 1877.

Month and year.	White.			Colored.			Grand total.
	Male.	Female.	Total.	Male.	Female.	Total.	
1876.							
October	8	2	10	11	13	24	34
November	11	7	18	9	9	18	36
December	8	6	14	10	7	17	31
1877.							
January	6	7	13	9	14	23	36
February	4	7	11	10	8	18	29
March	5	2	7	10	3	13	20
April	6	3	9	6	9	15	24
May	4	6	10	17	10	27	37
June	7	7	14	11	7	18	32
July	8	6	14	14	9	23	37
August	7	6	13	13	3	16	29
September	4	5	9	7	11	18	27
Total	78	64	142	127	103	230	372
Percentage to total still-births	20.97	17.20	38.18	34.14	27.68	61.82	100.00
Still-births per 1,000 inhabitants (white and colored)	0.67	0.56	1.23	2.82	2.29	5.11	.....
Still-births per 1,000 inhabitants (total)	0.47	0.41	0.88	0.79	0.65	1.44	2.32

TABLE No. 3.—*Report of marriages in District of Columbia for the twelve months ending September* 30, 1877.

Month and year.	White.	Colored.	Total.
1876.			
October	21	30	51
November	28	26	54
December	24	43	67
1877.			
January	24	18	42
February	22	7	29
March	18	45	63
April	32	18	50
May	23	24	47
June	19	18	37
July	21	20	41
August	11	14	25
September	28	18	46
Total	271	281	552
Percentages to total marriages	49.09	50.91	100.00
Marriages per 1,000 inhabitants	1.69	1.75	3.44

REPORT OF THE ATTORNEY.

DISTRICT OF COLUMBIA, BOARD OF HEALTH,
Office of the Attorney, Washington, November 15, 1877.

SIR: I have the honor to submit the following confessedly imperfect report of cases referred to the attorney of the Board of Health for the District of Columbia for the year ending this day:

Number of cases referred to the attorney for prosecution		81
Convictions (reported)	26	
Discontinued, nuisances abated	14	
Dismissed	6	
Failure to serve process on defendant	4	
Cases now pending	31	
Total		81

Number of appeals taken	1
Amount of fines imposed by the court	$125 00
Placed under bonds for abatement of nuisance	5

As already intimated, this report is acknowledged to be imperfect, but it is the best that can be made in the circumstances.

I have taken measures to improve the practice of this department in several particulars, but especially as to the keeping of a docket in the nature of a register. The measures here referred to will, I trust, enable me to make more satisfactory reports hereafter.

This board has published an opinion given by Hon. William Lawrence, of Ohio. That opinion holds that the "legislative police power" of the Board of Health for the District of Columbia "is not a power to be exercised in regard to private nuisances, such as affect a single individual."

The learned judge subjoins: "This is clear. It (the power referred to) is limited to nuisances injurious to health." This evidently means the health of many persons.

Many is a word in frequent use; but, like the wrong-called nuisance and like the police power, it is far from easy to define.

How many persons must be injured in order to give a court of justice jurisdiction of a public nuisance? And how many persons must be injured by a nuisance in order to give this board jurisdiction to take measures for abatement of the nuisance?

On the other hand, we cannot escape the question, whether the hurt, inconvenience, or damage, which one does to *himself* alone, is to be deemed a nuisance, even if it be undeniably injurious to health.

The question is not, whether such a wrong may be forbidden by a valid exercise of legislative power, but whether such a wrong may be considered as a *nuisance*.

Probably, most judges would be ready to respond with a decided negative. It follows not, however, that the head of a family may not be guilty of a nuisance, damaging to his own household, just as he may be responsible for a nuisance to his neighbor.

The organic act, containing what may well be called the constitution of this board, invests it with legislative and executive, if not with some essentially judicial power, given for a purpose, interesting, not only to the permanent inhabitants of this District, but to all comers hither, official or unofficial. It expressly charges the board with the duty and thereby clearly invests it with the power to declare what shall be *nuisances injurious to health*, and to provide for the removal thereof,

to make and enforce regulations, to prevent domestic animals from running at large in the cities of Washington and Georgetown, to prevent the sale of unwholesome food in said cities, and to perform such other duties as shall be imposed upon said board by the legislative assembly.

Members of the board, it seems to me, ought not to be disposed to narrow the discretion thus conferred upon the board, with reference to interests, not merely local, but clearly national as well as local. I am not prepared to agree with Judge Lawrence that it is clear that the Board of Health for the District of Columbia has no power to exercise and no duty to discharge concerning *private nuisances* injurious to health. But nothing can be clearer than that, whether dealing with private nuisances affecting the public, the board is called upon to respect the *right of property*, while making fit provisions for preventing or abating impairments of the right to health.

The paramount consideration obviously must be sanitary. But the wisest and most cautious board of health that has ever been organized may well bear constantly in mind that it is not infallible, and that the theories of sanitarians are not to be quite blindly carried into acts of legislation.

It is always necessary to proceed with caution in improvements of the law, especially of the law concerning health. If, therefore, there is power in this board to deal with private nuisances injurious to health, that power ought not to be loosely exercised.

It appears to me that the jurisdiction of offenses against the sanitary system of the District ought to be a special jurisdiction.

Congress has, I think, the power to create a jurisdiction of that kind.

The courts, in their ordinary action, cannot be expected to accomplish all that is to be desired in the enforcement of the laws which are or may be provided for the purpose of preventing diseases in the District of Columbia.

If there is any part of the police power which requires a combination of the greatest promptitude with the most delicate discrimination, surely such a combination is essential as to the enforcement of the laws concerning health.

I do not undertake at present to present even an outline of the legislation which I deem desirable as a provision for the special jurisdiction, which I think should be charged with the construction and enforcement of those laws. That subject, I consider, ought to be investigated by a proper committee of the board with care and thoroughness.

My present object is but to invite attention to the subject. I think I ought to add that a recent leading article in the New York Herald does not exaggerate the importance of a board of health, empowered to act with vigor in its sphere, and that the more the subject of the proper investment of a board of health with power is considered, the more will false economy opposed to such investment seem pernicious.

Health may be considered as a very precious kind of wealth. Provisions for the public health may be opposed to true economy; they may be perilous to rights of property; they may be otherwise exceptional; but there ought to be a large and liberal provision, first, for the making of the proper sanitary laws, and, second, for the prompt and vigorous yet carefully discriminating enforcement. Every lawyer worthy of the name and every physician worthy of the name must see at once the justness of this view. But I regret to say that quite too many lawyers and quite too many physicians have not yet devoted due attention to such subjects, though they are recognized by law books, as well as by medical books, as of common interest to medicine and law.

Nor is it less certain that too many members of the legislature have devoted less attention than is due to these important subjects.

The board of health is able to do much toward improving the attention given to the matter I have just adverted to.

By this consideration, and by others equally above the reach of just exception, I have been induced to offer the foregoing hints. I trust they are to be considered as at least well motived.

R. B. WARDEN,
Attorney of the Board of Health for the District of Columbia.

T. S. VERDI, M. D.,
President of the Board of Health.

REPORT OF THE HEALTH OFFICER, 1877.

DISTRICT OF COLUMBIA, BOARD OF HEALTH,
Office of the Health Officer, November 10, 1877.

SIR: I have the honor to present the annual report of the operations of the health office for the year ending September 30, 1877. And it gives me great pleasure to record positive progress in methods and results in the various departments under my special supervision.

The occasional changes in the *personnel* of the inspection force have caused confusion in the service and lessened the aggregate of labor performed. The reduction has rendered the systematic, regular inspection of the whole District of Columbia practically impossible. Complaints of citizens in person at the office or by letter have engaged a large share of the time and attention of the inspectors, and other localities not complained of suffered necessarily from lack of expert inpection. This has unquestionably been detrimental to the best interests of the community, by inducing carelessness and neglect of sanitary precautions among the lowest or most ignorant classes, and frequently also among those who, although amply able and indeed intelligent, yet wait to be notified or cautioned by the inspector to protect their families from insanitary conditions on or about their premises. To the inexperienced the number of this latter class is surprising; to the student and expert in sanitary science and its applications, it manifests a suicidal apathy or negligence of interests second to none in their important bearing upon the welfare of the individual and state. While constituents supinely sleep on this subject, why should we marvel that legislators tread lightly over it and grudgingly appropriate for the support of institutions operating to arouse these victims of a most unwholesome lethargy? But "still the wonder grows" that the most profound in the study of political economy so parsimoniously legislate for the nation's greatest wealth, the preservation of the health and life of the people.

In the light of my own experience and the record of colaborers I find three formidable obstructions lying in our pathway to successful enforcement of sanitary regulations, viz: 1st. Among the people to be benefited, woful ignorance of hygienic laws and the penalty of their transgression. 2d. Indisposition to be dictated to by inspectors or health-officers as to what may or may not be prejudicial to the health of their immediate household. They reserve to themselves the inalienable right to live in the midst of filth and inhale noxious gases as long as suits their convenience or heedlessness. 3d. Lack of substantial support in the legislatures, either by sound and practical enactments, or by appropriation

of funds to sustain an efficient organization. And these obstructions must be removed, beginning in order at the first named. Little will be accomplished by leaping over the first *two* and attacking the *third*.

In the schools, at the foundation of our educational system, then, we must introduce this subject by text-books and teachers. From the kindergarten to the university, *pari passu* with the growth and development of the child, he must learn the true significance of the phrase "*Mens sana in corpore sano*," and the causes, conditions, laws, and applications which bear upon all the circumstances and vicissitudes of his physical existence. Men and women so educated, taking their respective places in communities, will not alone govern their own households intelligently, but will shed a healthful influence abroad in the state, and their representatives, being like-minded, will frame and enact and sustain sound sanitary ordinances.

I would urge that the board propose immediate steps to secure the introduction into the public schools of the District of Columbia of text-books suited to the several grades or classes, and the employment of a special instructor in hygiene and a sanitary superintendent of schools. A competent person in such a position would work out infinite benefit to individuals and society.

It is true that of late, through newspapers and books, much reliable information on these subjects is promulgated, which is eagerly read and, by many, acted upon, showing a healthful tendency of public sentiment. But we often find in this, as in other directions, that "a little learning is a dangerous thing," and frequently our notices to abate are met by expressions like these: "I know better." "You can't tell me anything about *that*." "Nothing wrong about *my* place." "You'd, better look in *my neighbor's* yard if you want to find a *nuisance*." While in fact knowledge misapplied, the custom of years, or the prospective expenditure involved, have warped their judgment, rendering their opinions ridiculous and destructive of their own best interests. There is, however also a class, increasing in number, constantly seeking and applying knowledge on this subject, and who are found far in advance in their efforts to surround themselves with safeguards against impurities, the enemies of health. There we are always welcome, either as inspectors or experts, and refreshed and encouraged in our otherwise thankless task.

Among the hopelessly degraded and wretched, in the alleys and by-places, whose life is a bare existence, a dismal struggle in the dark with unknown foes, the regular and frequent visits of the inspector are indispensable to decency. A few weeks' absence discovers the fact that fear of punishment *alone*, no *higher* sentiment, induces even partial cleanliness. And *here* the effect of the reduction of the sanitary force has been most apparent.

Notwithstanding the difficulties mentioned, and which we experience in common with all other health departments, our handful of men have pressed steadily on to the accomplishment of the immense work indicated by the accompanying tabular exhibit.

Consolidated report of nuisances for the year ending September 30, 1877.

Months.	Alleys.	Areas.	Cellars.	Drainage, surface.	Excavations.	Gutters.	Garbage.	Hog-pens.	Houses, filthy.	Houses, condemned.	Houses, slaughter.	Houses, no privy.	Hydrants.	Lots, filthy.	Manure-heaps.	Markets, public.	Miscellaneous.	Pumps.	Pipes burst, water.	Ponds, stagnant.	Privies, filthy.	Privies, full.	Privy-boxes, leaky.	Privies, dilapidated.	Roofs, leaky.	Sewers, public.	Sewers, house connection.	Stables.	Streets, filthy.	Traps, sewer.	Yards.	Yards, cow.	Vaults, privy.	Water-closets.	Total.
1876.																																			
October	47	4	11	27	2	20	3	....	27	13	....	3	2	6	50	....	14	4	7	24	61	527	68	12	12	18	48	38	6	28	98	8	1	20	1,209
November	52	8	17	3	....	26	26	....	28	7	....	6	3	3	38	6	10	..	1	1	44	477	47	11	7	15	32	33	8	27	132	4	2	23	1,097
December	27	2	1	7	....	17	18	2	23	3	3	6	....	4	21	6	16	....	3	1	48	483	13	8	2	12	6	20	4	19	49	59	....	6	889
1877.																																			
January	7	2	2	2	....	3	3	....	5	6	....	2	....	3	16	....	8	1	4	...	11	147	...	22	8	3	2	8	6	4	1	....	....	2	278
February	25	9	13	8	....	12	19	....	46	5	....	4	1	2	31	....	9	1	....	14	31	846	27	14	5	14	3	18	14	15	104	....	....	6	1,295
March	47	....	10	8	1	12	9	....	45	10	....	1	3	7	27	...	12	....	1	10	44	805	34	11	2	12	26	20	5	21	145	...	....	22	1,350
April	95	1	11	8	....	20	12	5	85	16	1	2	2	9	54	1	25	1	1	23	72	960	30	16	10	23	52	7	22	27	113	....	1	18	1,723
May	95	8	9	19	1	41	12	10	129	12	1	2	4	....	52	...	196	....	2	22	75	1,161	56	20	17	25	38	24	10	25	225	2	2	17	2,312
June	96	11	12	26	1	46	20	18	77	8	4	2	2	13	57	...	147	6	7	42	88	1,089	85	17	45	37	87	38	11	48	213	6	10	25	2,394
July	51	1	6	44	1	19	19	6	24	26	1	....	5	3	83	....	66	3	5	20	176	867	79	17	14	29	39	77	4	16	127	32	....	12	1,872
August	28	1	8	36	....	31	58	5	6	21	1	....	2	8	44	2	51	3	1	18	96	1,101	68	12	17	22	5	72	2	6	72	29	....	1	1,827
September	38	6	15	40	....	32	16	11	17	26	3	3	3	21	40	....	63	3	4	44	163	922	134	28	33	5	55	39	6	18	34	11	...	16	1,849
Totals	608	52	115	228	6	279	215	57	512	153	14	31	27	79	513	15	617	22	36	219	909	9,385	641	188	172	215	393	394	98	254	1,313	151	16	168	18,095

It will be noticed that the nuisances prominently engaging the attention of the inspectors have been alleys, gutters, garbage, filthy and condemned houses, manure-heaps, stagnant ponds, full and filthy privies, house sewers, traps, yards, stables, &c., the aggregate of each reported being shown in the table. The total number of nuisances reported falls far short of previous years, but indicates no slackened effort or efficiency on the part of the officers, when we consider the facts that their number has been, most of the year, only about half that employed last year, and that the citizens' complaints, which always break up a systematic day's work, have been much more frequent than formerly. The experienced inspector, as he becomes familiarized with the application of sanitary science, studies each case referred more minutely and explains more intelligently the details of the abatement, and thus accomplishes more valuable work in a few items, than the *beginner*, who is apt to view only the surface of questions presented.

PRIVIES AND REMOVAL OF OFFALS.

That nuisance among the thousands, the one altogether abominable, the disgusting box privy, still disgraces the back yards of the city. Has not the convenient season now come to organize a raid upon this relic of the Rip Van Winkle age of Washington? Certainly no man can safely say a word in its favor and preserve his reputation of sanity. Language is inadequate to detail the horrors of a nest of these necessaries within a stone's throw of an open bedroom-window, on a sultry summer night; and nothing but respect for ancient customs, no matter how obnoxious, could have left a trace of this institution in the District of Columbia, except at a distance from Washington so magnificent as, possibly, to lend enchantment to the view. It is manifestly within the power of the board of health to declare that these boxes shall be deemed nuisances injurious to health and provide for their removal. Action has already been taken with this end in view—contemplating the substitution of cemented or terra-cotta vaults below the surface—which will, to a great degree, prevent the fermentation of their contents and the consequent prevailing nuisance. I would recommend that an ordinance be framed at once, requiring the gradual or immediate introduction of this much-needed improvement.

The operation of the odorless or pneumatic system of emptying boxes and vaults during the past year has been, in all respects, satisfactory. Complaints are rarely heard, either of neglect or carelessness on the part of the contractor. The same may be said of the contractor for removal of garbage. Since our records show scarcely any complaints, I conclude the service is pleasing to the people concerned. The removal of the offals away from the city limits has, with a few exceptions, been free from serious objections. The question of the location of the depot for transit has agitated the minds of the Board of Health as well as the honorable Commissioners of the District, and, upon whatever point their eyes were fixed as considering its adaptation for this purpose, thence immediately came long petitions against its selection, so that, although all are agreed that these offals are nuisances on private premises, and are clamorous for their prompt removal, yet all expect them to be sent up in a balloon, or by any method which does not subject *them* to the presence of that awful *depot*, which their imaginations paint as a frightful affliction to a neighborhood, but which, in fact, if properly constructed, and the offals handled as the ordinances of the board require, need not be more objectionable to the most fastidious person than any freight-

depot for merchandise. The employment by the contractor of a small close wagon for collection of small dead animals has greatly facilitated the service of removal, and has reduced the complaints of delay to the minimum.

The following table exhibits the amount of work performed in these departments, upon whose prompt and efficient execution so much of the comfort and health of the people depend:

Offals and dead animals removed during year ending September 30, 1877.

Months.	Garbage.	Night soil.	Dead animals.
1876.	*Tons.*	*Barrels.*	
October	555	3,687	338
November	373	2,562	133
December	383	2,439	179
1877.			
January	263	1,058	142
February	286	1,407	294
March	311	2,426	252
April	250	2,241	251
May	350	2,586	242
June	717	3,853	845
July	672	2,549	583
August	1,507½	2,999	641
September	1,056¼	2,566	609
Totals	6,724¼	30,373	4,509

DRAINAGE OF PRIVATE PREMISES.

This subject has engaged a large share of our attention during the past year. The laying of public sewers has been closely followed by notices to connect with private yards and houses. In the older parts of the cities, also, from time to time, have been found premises not so connected, pouring their filthy water into the streets or alleys.

The decision of the attorney for the District, virtually nullifying the recent law of the legislature relative to "draining certain lots," &c., and preventing the execution of the second section, which authorizes the abatement of the nuisance by the board of health and a lien upon the property for the expense, has been most unfortunate, by delaying the full benefits of such abatements. We have issued official notices in those cases where unquestionable nuisances were occasioned by want of sewer, and have, in some few instances, enforced the ordinance bearing upon this subject by fine in police court, but many cases have been postponed and sewers delayed indefinitely by insurmountable difficulties, such as disputed title, non-residence of owners, &c. There have, nevertheless, been 393 such nuisances abated, and in every instance with very satisfactory results. Not unfrequently owners, at first demurring, afterward express their thanks that they have been compelled to make this improvement; realizing, for the first time, the gratification of being no longer the cause of complaint by their neighbors, in having their yards free from constant saturation. The largest number of these sewer-connections have been laid in the northwestern section of Washington.

During the past four years, under the authority of the board of health, 6,185 private sewer-connections have been laid in both cities. Many more, of course, without official inspection, have been constructed to drain new buildings. The consequence is that, while five years ago the street-gutters in many parts of the cities were cesspools, *now* we rarely see filthy water running in the streets or alleys, except, perhaps, in the unimproved portions, where public sewers have not been laid.

Instances are frequent of necessity for this improvement where plumbers must dig under the floors of houses to the street sewer, thereby endangering the walls and subjecting the occupants to great inconvenience, often to illness, from the presence of the upturned soil. Hence the laying of public sewers in the alleys of the various squares, whereever possible, is most desirable, being there more easily approached with private sewers and for repairs, if occasion require. The unskillful or fraudulent work of plumbers and the carelessness or neglect of tenants often result in obstruction, breakage, and leakage of these sewers on private grounds, resulting in, probably, the most frequent and most serious causes of complaint at this office, and in no class of nuisances have we been more successful in giving satisfaction to all concerned. Often two or three days are consumed on one case of this nature, in efforts to trace the exact source of dampness in cellars, walls, areas, yards, &c., and it is only by the most careful and tedious tests that the defect is located. But rarely, if ever, is the diagnosis of the inspector at fault, although frequently at variance with the opinion of the plumber. The use of blue water poured into the sinks, and which will invariably find its way to the surface through the defective sewer, is constantly resorted to and has been an invaluable agent in ferreting out hidden leaks.

The basements and cellars on the south side of Pennsylvania avenue, from Third to Tenth streets northwest, although not as frequently complained of lately, are subject to reflow of sewage, particularly during heavy rains, being rendered damp and unhealthy thereby. The introduction of properly-constructed valves proves effectual as a preventtive of this difficulty, and their general use has been recommended.

Our attention has been constantly directed to the fact that there are still many houses in our cities having sinks, basins, &c., without proper taps; many, indeed, with none at all. It is not unusual to find new houses with simple straight drainage and waste pipes leading directly from the sewer to the chamber, bath-room, or kitchen, with no obstruction whatever to the free passage of poisonous, deadly sewer-gases.

I have taken occasion often to reiterate these facts, in annual and other reports. I am well aware that I may claim no originality of discovery in this direction, as every city or community where houses are supplied with the so-called "modern improvements" suffers, in greater or less degree, from this outrage upon humanity, practiced by fraudulent or ignorant plumbers or rapacious landlords. I am also aware that great outcry is heard, much is said and written, many valuable inventions made and offered for sale, and the whole moral force of sanitarians is brought to bear upon that hydra-headed monster, sewer-gas, but still he stalks abroad, dealing death-blows on every hand, finding his victims sometimes in the cradle, the mother, even the strong man often yielding under his withering breath, so subtile, so permeating, and yet so powerful is its influence.

Notwithstanding all, the fact is still unchallenged, that a plumber may, in this enlightened age, enter a house under construction, conduct a dozen pipes from the sewer into the various rooms, not supply a trap in either, claim and receive his payments in full for the work, and never suffer for his crime of omission, unless, after sickness, perhaps death, has time and again warned the inmates of their danger; *then*, if he can be found, he may simply be compelled to supply the defect, meeting no other penalty.

The dealer who offers for sale unwholesome food, the druggist who carelessly dispenses poisonous drugs, the physician who is guilty of mal-

practice, the burglar who robs the house of valuable goods, *all* are criminals deserving punishment, and, when convicted; it is meted out to them. But he who, by neglect or fraudulent intention, robs a family of their dearest birthrights, pure air and health, it may be of life, forsooth may go scot-free.

Knowing the prevalence of this evil, as I do, and its pernicious influence upon the inhabitants of cities, having made it the subject of special study and inquiry, I would proclaim it from the house-tops and every public place, and continue to proclaim, that the strong hand of the law must be laid upon these offenders. It is not enough to frame building-regulations, specifying that this work shall be done perfectly, but positive enactment, with heavy penalty for transgression, must be passed and rigidly executed. Then, and not till then, will they appreciate their responsibility as artisans and the enormity of their crime of neglect.

Will not the board of health of the District of Columbia take the initiative, and make it a special object of effort, in whatever revision or enlargement of their powers they may seek, that a special inspector of house-sewers and sewer-traps be employed, whose duty shall be to examine, as an expert, all new houses before occupation, certify as to the correctness of the work in the particulars mentioned, and present every contractor or plumber who shall neglect to provide the best known sewer-gas traps in all the pipes leading into sewers, for prosecution in court, under such law or ordinance as may be, at the suggestion of the board, enacted.

It is indeed true that, with all the inventive skill brought to bear upon this question, the latest and most improved traps do not, under all circumstances and at all times, accomplish their object; but, properly constructed, we have every proof of their great value, that they are indeed indispensable, and have reason to believe that the universal Yankee nation will continue to give this subject the full benefit of its versatile genius, and eventually solve the problem of so great importance to humanity congregated in cities.

SHANTIES.

A shanty is defined by Worcester to be "a mean cabin," and that is evidently what they mean by the term in Washington and Georgetown, for no meaner cabins for temporary or permanent shelter can be found than some of our wretched poor are born and exist and die in, here at the capital of the United States. And, strange as it may seem, none so mean that they have not an owner mean enough to charge rent for them. Down in the alleys, below grade, with combination roof of felt, tar, shingles, rags, tin, gravel, boards, and holes; floors damp and broken; walls begrimed by smoke and age—so domiciled are families, with all the dignity of tenants having rent to pay; perhaps four, five, or, maybe, eight, dollars a month, and proud of the distinction, though often greatly exercised to meet their obligations.

What to do with these filthy heaps of old lumber was a query which agitated the mind of the board of health early in its history. They recognized their jurisdiction in the fact that such conditions induced disease among the occupants, especially of the more malignant zymotic types, and, from the aggregation of causes and masses of diseased people, spread epidemic through all the neighboring districts. So an ordinance was framed declaring such dwellings to be nuisances injurious to health, and the owners were notified, under penalty of fine, to render decent or vacate those buildings from which they received revenue. Demurrer was often entered as to the law and facts, but, step by step,

through the years since the promulgation of the ordinance, have we encroached upon these miserable, comfortless domains, and have gladly seen them, one by one, wiped out of existence, sometimes replaced by decent brick houses, until the whole aspect of many of the alleys is improved, and diseases once prevailing there are now as rare as in the more pretentious dwellings on the avenues and streets adjoining. The board has condemned 153 such during the past year, and 958 during the past four years, of which probably 300 have been entirely demolished.

But many owners still cling to the wrecks. Ashamed to be seen collecting the rents, an agent, who may have an eye single to their gain, and not a single eye to the comforts of their tenants, is deputized to bring home to them each month their pound of flesh. If notified, they barely keep outside the possibility of conviction under the health ordinances, and hope for better times when there shall be no board of health to mind other people's business.

Here again is opportunity and urgent necessity for such an ordinance and penalty, authenticated without a doubt, as shall eradicate these huts within the city limits, not waiting for the present slow process of disintegration. Then, perforce, their sites will be freed of those public nuisances, and, perhaps, occupied by neat brick structures, suitable for the poor, and at a rent entirely within their ability to pay, or, at most, not more than is now paid for the shanties I describe, viz, $5 to $8 per month, equal to from 12 to 20 per cent. as an investment, but of course not equal to the 75 or 80 per cent. now realized from worthless buildings.

It is true that the lack of employment and consequent poverty of the unfortunate class seeking these alley abodes has very generally prevented the collection of rents, but if all the old tumble-down huts and out-houses in the city were removed, and in their places, on the wide alleys alone, were erected rows of decent brick dwellings, they would not wait two months for tenants at a reasonable rent or rate of interest, and the sanitary condition, as well as the comeliness and morality of these localities, would be improved a hundred fold.

The question as to the disposal of the thousand sick, superannuated, unemployed, aimless, vagabond, or thieving, who crowd these mean cabins to suffer and starve or skulk away from the officers of the law, is not within the scope of this report, and is a much disputed problem in all our large cities, of momentous interest at the present crisis; but our experience in dealing with filth, crowd-poison, and disease among these people during the past four years, has taught us that the greatest public economy, viz, the preservation of the public health, is defeated by allowing these filthy, worthless, dependent classes of humanity to congregate in the alleys and by-ways, out of sight, and therefore out of mind, until direful epidemic, incubated and nourished among them, spreads its black wings over the homes of the whole city. Better far to provide for the aged and sick in public institutions of charity, the vagrant in the chain-gangs, let the cost be what it may, than allow them to remain, propagators of public disease, an incalculable expense to the District.

ALLEYS.

But while the evil of filthy and miserable tenements exists, and receives our inflexible condemnation, that other public wrong, the cobble-stone or unpaved and unsewered alley, still remains the repository of all uncleanness, whence issue, night and day, "noxious odors and offensive smells," *ad nauseam usque.*

I approach this subject with great hesitation as to the propriety of

dwelling upon it in this report, as in every annual report since my appointment to this office I have expatiated, and recommended, and urged, as my experience and convictions dictated, the improvement of the alleys, in a sanitary point of view, and prescribed the method. I have grave doubts whether those excellent public functionaries, whose province is to repair and construct these back-ways of the city, ever even read my reports on this subject, or, if they read, looked upon them as other than impracticable theories. Although that fact is not at all flattering to my reiterated opinions, my sense of duty to the service I represent will not permit me to yield a point until convinced of my error.

The so-called squares of Washington are generally parallelograms, of varying dimensions, some even are triangular, traversing the center of which are alleys of varying widths, for convenient approach to back gates and stables, mostly for the wagons bringing fuel, &c., or carrying away offals or *débris* from kitchens and yards, thus relieving the beautiful streets and avenues from their unsightly presence and obstruction. These alleys being mostly out of sight, and channels for the removal of filth and rubbish, naturally become, in some degree, the depository of such material, and especially is this the case with alleys lined with shanties, or even more decent houses of the poorer class. These deposits, collecting in the spaces between cobble-stones or broken places, and in holes where there is no pavement, remain two or three weeks before the stated time of cleaning, and, decomposing, fill the atmosphere, particularly during the warmer summer months, with very disagreeable, unwholesome products, undoubtedly the cause of zymotic poisoning in the whole neighborhood.

I contend that the only entirely practicable remedy is the careful grading of the alleys, the proper location of sewer-traps, and thorough paving with concrete or asphaltum. Then the placing of hydrants, similar to fire-plugs, at such points as may be convenient for flushing the alleys perfectly, twice a week, or oftener, into the sewer. The paid flusher to act also as a sanitary police officer for the alleys. By this method they may be kept constantly fresh and clean, the sewers and water-mains also be frequently flushed, and thereby, especially in the warmest weather, the atmosphere be greatly cooled and purified.

Objection may be urged that this plan involves larger expenditure for construction, repairs, &c., yet, admitting its truth, that fact is no less applicable to the streets and avenues. But their pavements are smooth and delightful, fair to behold.

The axiom is patent to every experienced sanitarian that health is everywhere sacrificed to convenience and external appearance. The fashionable lady poisons her blood by enameling, closing the pores of the skin, or taking arsenic that her face may appear beautiful; the householder leads his sewer-pipes, full of poisonous gases, up to his sleeping-rooms, that they may be convenient. So the tax-payer chooses that his front parking and street pavement shall be beautiful and convenient, while the back alley pours volumes of deadly vapor full into his open chamber windows. He whose foremost thought is the health of his family would first see to it that the alleys were properly improved and provided, and afterward devote his attention to the less important, but very desirable, beautifying of the streets.

We need not expect the improvement I suggest until the people to be benefited shall demand it, and are willing to pay for it, and that time is postponed until they learn more perfectly, by sorry experience, perhaps, that poison as surely exists in the atmosphere blowing over a decomposing heap of filth as it does in the arsenic with which they kill the rats that they throw into the alleys. But while the board of health

and its officers hold this faith, they will not fail to proclaim these facts at all times, hoping at least to see, some day, the improvement so essential to public health. The table shows that 608 reports of alleys in bad condition have been made and referred for abatement. Many of these which are habitually filthy are not now cleaned as often as they should be, but under our observation the cleaning when done has been well done. The contractors controlled by the honorable Commissioners are required to clean once every two weeks. Complaints are frequent of broken pavements in alleys, containing stagnant water and filth. Some have been repaired, and many require thorough overhauling before the next warm season.

I am glad to learn that the engineer of the District is considering the subject of pumping the contents of sewer-traps. The present system, although more neatly done than formerly, is a relic of the past on a par with the old system of cleaning privy-boxes. The accumulations in these traps are often very offensive, and are taken out with buckets or shovels and transferred to the pavement or open carts and taken through the streets to be dumped on open lots, often objectionable places. The difficulty appears to be in finding a pump adapted to the service, but I trust the remedy is now to be applied.

CONTAGIOUS DISEASES.

The District of Columbia may be congratulated upon its almost entire immunity from the dreaded disease small-pox during the past year; the cases occurring being brought here from distant cities, and they only eleven, the contagion being confined in every instance to the first house infected, the usual and successful vigorous measures being resorted to. Our experience with disinfectants convinces us that the fumes of burning sulphur are most effectual, and it is one of the most gratifying realities in sanitary science and experience that, by the application of means at our command, we may arrest, even at the very threshold where it enters, a disease which formerly run riot in cities and spread terror among the people. We still lack, however, that essential apparatus for the disinfection of clothing, bedding, &c., recommended by the sanitary committee of the board some time since, and which, in my judgment, should be provided at once, as nearly every case of small-pox involves an expenditure of five or ten dollars for articles destroyed.

More than six years now having elapsed since the general thorough vaccination in the District of Columbia, and which proved successful in so remarkable a degree, the question of highest importance is the expediency of revaccination, including of course the primary vaccination of children, in the same manner and among the same classes as before.

The experience of the epidemic of 1871, as well as the whole history of this fatal scourge in other cities, demonstrates the wisdom of keeping the people thoroughly protected by vaccination, and it is too late to undertake such a task when the disease has fastened itself upon the community.

I would recommend therefore that the board of health ask and urge an appropriation sufficient to supply vaccine virus, and employ physicians for that duty, and that this labor be commenced as early as possible during the coming winter. It should not be difficult to show clearly to Congress that the safety and comfort of their families as well as those of representatives of foreign countries and of the thousands of employés of the government here, are involved in this issue. For the value of this prophylactic is demonstrable by facts and figures, and the foolishness of delay in such matters cannot be denied. Though the enemy be not now among us, he may elude our utmost vigilance and

take possession of our homes when they seem most secure. We know where we are vulnerable, and as faithful stewards we should warn our masters of the necessity for renewing the fortifications.

The enormous cost of vaccine virus required, amounting for the last general vaccination to over $6,000, warrants the serious consideration by the board of the possibility of establishing here a depot of supply of pure virus directly from the animal.

Large fortunes may be made by private individuals who deal in this material, for which the demand must be constantly increasing, not only here but in all portions of the United States. The universally recognized necessity for vaccination—millions of people every year resorting to it—the growing prejudice among all classes against humanized virus, and the essential requisite of distributing absolutly pure and fresh non humanized virus, all are considerations of vital importance to the whole country, dealing, as they do, with no less a subject than the modification of a fearful scourge, which yearly causes the deaths of thousands and the permanent disfigurement of many thousands more.

The Congress of the United States desiring, and in duty bound, to benefit the whole people by wise appropriation of public funds, can confer the greatest blessing upon the largest number by instituting here at Washington, under the immediate supervision of competent government officials, a depot for the propagation and distribution of pure non-humanized vaccine virus. The first outlay need not reach a thousand dollars, and thereafter it might be made entirely self-supporting; indeed, if properly managed, it would, if desired, bring a constant revenue.

Among the many features recommending this establishment are principally: 1. The control of the price of a commodity demanded as a common necessity among the very poor, who now cannot obtain it unless through charity, hence go unprotected and perpetuate the contagion. 2. The seal of the government guaranteeing freshness and purpurity, which would tend to bring about the discontinuance of the use of humanized virus, now generally condemned by the medical profession. To this subject I would suggest the serious attention of the board.

While small-pox—which is regarded by all classes as essentially dreadful and fatal, and for the prevention and isolation of which every precaution and appliance is resorted to—has caused one death in the District of Columbia, that other contagion, scarlet fever, which is allowed to roam at will, from village to village, and house to house, with scarcely a feeble effort anywhere to arrest its progress, numbers as its victims here 117 persons, besides the hundreds of others upon whom this terrible disease has left its pernicious sequelæ. If small-pox had caused as many deaths the whole people would have been alarmed and a frightful epidemic recorded. Yet scarlet fever rages every year and in every community, making thousands of little graves all over the land, and the people, supinely indifferent, treat the occurrence as an inevitable visitation of Divine Providence, over which we have no control.

The public authorities in some few of the cities of this country and Europe have lately taken steps in the direction of a remedy for this evil, but as far as I can learn from reports on this subject, none have yet inaugurated any positive, effectual action, except that the board of health of Massachusetts have promulgated an order and issued a circular to the people, both of great value. Also the State board of Michigan have been moving in the same direction.

The accompanying map of the cities of Washington and Georgetown, showing the location of fatal cases of the most prominent zymotic and miasmatic diseases during the past year, exhibits the comparative fatality from the contagion in various sections.

MAP
OF THE CITIES OF
WASHINGTON
and
GEORGETOWN D.C.

PUBLISHED by W. H. & O. H. MORRISON

1876.

WIDTH OF STREETS.

	W.	E
½	80	80
1	90	110
2	90	90
3	110	90
4	80	85
4½	110	—
5	80	100
6	100	85
7	85	90
8	100	100
9	85	90
10	85	80
11	111.5	90
12	85	112
13	110	90
13½	70	—
14	110	100
15	110	90
16	160	80
17	110	100
18	90	80
19	110	80
20	90	100
21	90	80
22	90	80
23	100	80
24	90	80
25	90	—
26	80	—
27	70	—
28	80	—

W — E

	N.	S
A	90	90
B	90	90
C	80	80
D	70	70
E	90	90
F	100	70
G	90	100
H	90	80
I	90	90
K	147.8	80
L	90	90
M	90	90
N	80	90
O	90	85
P	90	85
Q	90	85
R	90	85
S	90	85
T	90	85
U	80	80
V	80	80
W	80	40

INDEX.

Scarlet Fever
Diptheria
Typhoid Fever
Dysentery, Diarrhœa & Entero-Colitis
Intermittent, Remittent & Typho-malarial

Cases at Providence Hospital.
Scarlet Fever 0
Dysentery &c. 4
Typhoid Fever 8

At Children's Hospital.
E St. bet. 8th & 9th NW
Scarlet Fever 3
Dysentery &c. 1

WIDTH OF AVENUES.

All Avenues are 160 ft wide except the following;
Penn Av from Presd't House to Rock Creek = 130 ft
NY. Av E of Presd't House = 130. Virginia Av from Rock Creek to Potomac = 120. "
Kentucky, Tenn. & New Hampshire Av's = 120 ft
Vermont, Conn. & Rhode Island = 130 "
Missouri and Maine Av's = 85 "

NOTE.
SIGNIFIES STEAM R.R
" STREET CAR R.R.
" CHARIOT ROUTE

GEORGETOWN
KALORAMA
MERIDIAN HILL
MT. PLEASANT
LE DROIT PARK
POTOMAC RIVER
EASTERN BRANCH
ANACOSTIA ISLAND
ARSENAL
UNIONTOWN

Cases of small-pox occurring in the District of Columbia during the year ending September 30, 1877.

Date.	Location.	Color.	Nativity.	Class of disease.	When vaccinated.	Removed to hospital.	Died.
1876.							
Oct. 16	D st., between Eleventh and Twelfth sts., northeast	White	Germany	Varioloid	Previous to 5 years		
Nov. 8	Schooner Gardudes, Potomac River	do	Portugal	Confluent	Never	Nov. 8, 1876	
16	No. 126 C street, northwest	do	United States	do	do		
27	No. 310 I street, northwest	Colored	do	do	When young	Nov. 27, 1876	
25	Cherry street, Georgetown	White	do	Varioloid	do		
26	No. 126 C street, northwest	do	do	do	do		
Dec. 17	do	do	do	Confluent	Within 5 years		Dec. 27, 1876
1877.							
Jan. 13	Delaware avenue, between B and C, southwest	Colored	do	do	Never	Jan. 13, 1877	
21	Adams Express alley, northwest	do	do	do	do	Jan. 21, 1877	
Feb. 15	No. 921 Eleventh street, northwest	do	do	Varioloid	Within 5 years		
May 8	No. 1512 L street, northwest	do	do	do	do	May 8, 1877	

Table of the comparative number of deaths from zymotic or miasmatic diseases in the several sections of the cities of Washington and Georgetown.

Section.	Scarlet fever.	Diphtheria.	Typhoid fever.	Remittent fever.	Intermittent fever.	Dysentery.	Entero-colitis.	Croup.	Typho-malarial fever.	Diarrhœa.	Whooping-cough.	Small-pox.	Catarrhal fever.	Cerebro-spinal fever.	Typhus fever.	Total.
Georgetown, east of High street	17	3	7	....	....	1	2	4	...	3	....	....	....	1	....	38
Georgetown, west of High street	25	2	...	...	....	5	2	1	....	4	....	...	....	..	1	40
West of Fourteenth, north of M	5	2	7	1	...	2	6	1	1	1	....	....	....	1	....	27
West of Fourteenth, south of M	11	4	16	6	3	5	2	4	4	8	1	...	1	1	...	66
East of Fourteenth, north of M.	7	14	10	...	1	2	9	9	3	10	...	...	....	..	...	65
East of Fourteenth, south of M.	15	12	11	2	...	9	6	4	6	6	3	1	2	2	....	79
Northeast	8	5	5	3	....	3	2	5	1	2	5	1	2	1	....	43
Southeast	11	....	9	2	4	13	2	5	12	9	1	...	..	3	...	71
Southwest, east of Four-and-a-half	7	....	4	...	....	1	2	....	3	6	1	...	..	..	...	24
Southwest, west of Four-and-a-half	11	2	6	1	1	4	2	2	1	2	2	..	..	..	...	34
Totals	117	44	75	15	9	45	35	35	31	51	13	2	5	9	1	487

By the above table we learn that of the deaths from the fifteen zymotic and miasmatic diseases classified, scarlet fever claims 117, or 24.5 per cent., nearly one-fourth; and of this number 42, or over 35 per cent. of all the deaths from this disease, occurred in Georgetown. The next highest number, 15, appears for the section east of Fourteenth street and south of M street, northwest, the most densely populated portion of Washington.

This terrible disease became almost epidemic in Georgetown during the last winter and spring. If the whole number of cases of illness from scarlet fever there could be ascertained, its truly formidable extent would be revealed. I have made special careful inspection of the whole field occupied by the contagion, and while there have been and still exist many insanitary conditions, more especially resulting from unfinished public improvements, lack of sewerage, &c., still no *prominent* local cause was discovered sufficient to account for the wide prevalence of scarlet fever, which is still raging in all parts of the city. Upon reference to the record of special inspection for local cause on the premises inspected, I find 27 reported as in insanitary condition by reason of defective drainage, leaky roof, filthy yard, or some other feature, and 15 were found to be in sanitary condition as far as could be learned.

The existence on many premises in that city of privies over open sewers, permitting the full return of sewer-gases, without water-closet or other traps, is an evil which probably encouraged the prevalence of this disease and increased its malignity. This subject has been called to the attention of the board, but no remedy has as yet been applied.

The *public* sewer-traps have at several points been defective, and gases from them subject of much complaint; many of these defects have lately been corrected. Along the deep ravine located on the west side of the city between Bridge and Fourth streets, squares 32, 53, and 56, which receives much of the drainage of that section, the disease has been especially prevalent. This, as well as the square 120 between Sixth and Seventh and Market and Frederick streets, and the open sewer, Rock Creek, are unquestionably sources of malarial poison, and contributed their direful share to this death-roll of scarlet fever in Georgetown.

If we compare the ravages of an epidemic of small-pox to the murderous havoc of a roaring lion, we may liken the despoiling of our homes by scarlet fever to the insidious but not less dreadful attacks of the tiger. We have caged the lion, the tiger is at large, and is constantly increasing his prey. He must be impounded and chained; but how to secure the wily enemy is the question, perhaps, most worthy the serious consideration of sanitarians at the present day.

The first great difficulty to overcome is to correct the quite prevalent idea among the people that scarlet fever is not particularly contagious unless in its malignant form, and that it is not in any degree a very serious disease. This may be done by disseminating minute information on the subject by circular among the families.

The following, issued during the past year by the State board of health of Massachusetts, is excellent, and I venture to incorporate it with this report, and recommend similar action by the board of health of the District of Columbia:

Scarlet fever.

OFFICE OF THE BOARD OF HEALTH,
January 9, 1877.

The board of health issues the following circular of recommendations, with the hope that those not familiar with the care of scarlet fever may be benefited thereby.

Scarlet fever is like small-pox in its power to spread rapidly from person to person; it is highly contagious. The disease shows its first signs in about one week after exposure, as a general rule; and persons who escape the illness during a fortnight after exposure may feel themselves safe from the attack.

Scarlet fever, scarlatina, canker-rash, and rash fever, are names of one and the same dangerous disease.

When a case of scarlet fever occurs in any family, the sick person should be placed in a room apart from the other inmates of the house, and should be nursed, as far as possible, by one person only.

The sick-chamber should be well warmed, exposed to sunlight, and well aired; its furniture should be such as will permit of cleansing without injury, and all extra articles, such as window-drapery, woolen carpets, and the like, should be removed from the room during the sickness. The family should not mingle with other people. Visitors to the infected house should be warned of the presence of a dangerous disease therein, and children especially should not be admitted.

On recovery, the sick person should not mingle with others until all roughness of the skin due to the disease shall have disappeared; a month is considered an average period during which isolation is needed. All clothing or bedding worn or used by the patient or the nurse should be cleansed by boiling for at least one hour; or, if that cannot be done, by free and prolonged exposure to out-door air and sunlight. The walls of the room should be dry-rubbed, and the cloths used for the purpose should be burned without previous shaking. The ceiling should be scraped and whitened. The floor should be washed with soap and water, and carbolic acid may be added to the water (one pint to three or four gallons). The infected clothing should be cleansed by itself, and not sent to a laundry.

In case of death from scarlet fever, the funeral services should be strictly private, and the corpse should not be exposed to view.

Because children are especially liable to take and spread scarlet fever, and because schools afford a free opportunity for this, the board of health has excluded from school every child from any family in which a case of the disease has occurred, the absence to continue four weeks from the beginning of an attack (except in cases subject to the discretion of the board), and the scholar to be readmitted to his school-room on the certificate of a physician that the required time has passed.

The proper blanks can be obtained at this office on application.

C. E. DAVIS, JR., *Clerk.*

The resistance so frequently experienced in dealing with small-pox among the infected often grows out of that stumbling-block of sanatarians, the popular legal aphorism, "Every man's house is his castle." In all our investigations during the prevalence of scarlet fever, great carelessness and ignorance are discovered among the families inspected; children slightly ill are allowed to play together, even to go to school,

and, when in bed, are not *isolated*. When *fatal*, relatives and friends attend the funeral and view the remains exposed in an open burial-case. It is, indeed, a popular notion among the more ignorant classes that the angel of death, having smitten the child, takes away from it all contagious property; and many, who would not visit the patient before death for fear of infection, go, and take their children along, to see the poor victim as soon as he is laid enshrouded in his coffin.

Undoubtedly the disease is most widely communicated by contact in the public schools. Many facts were learned during our inspections sustaining this opinion. The promulgation of the foregoing circular would do great good in impressing upon the minds of parents and guardians the danger to others of such carelessness on their part.

Statistics warn us that in the performance of our duty as conservators of the public health, longer delay is a responsibility we cannot afford to assume. A *commencement* must be made, and, as we advance with a courteous but *firm* enforcement of law, the prejudice and opposition of the people may gradually fade away, as they become convinced, by observation, of the true character of the disease, that it is manageable in like degree as small-pox, and that great benefit may result to themselves and the whole community.

The following are from the general statutes of the State of Massachusetts, and I recommend a provision of similar nature in the ordinances of the board:

SEC. 47. When a householder knows that a person within his family is taken sick of ——— any ——— disease dangerous to the public health, he shall immediately give notice thereof to the ——— board of health of the town in which he dwells. If he refuses or neglects to give such notice, he shall forfeit a sum not exceeding one hundred dollars.

SEC. 48. When a physician knows that any person whom he is called to visit is infected with ——— any disease dangerous to the public health, he shall immediately give notice thereof to the ——— board of health of the town; and if he refuses or neglects to give such notice he shall forfeit for each offense a sum not less than fifty nor more than one hundred dollars.

And it is hereby ordered that no child from any family in which a case of this disease has occurred, or shall hereafter occur, shall, without a written permit from this board, attend any school in this city until the expiration of four weeks from the commencement of the last case in such family. Such length of time shall be certified in writing by a physician or some responsible member of the family, the certificate to be presented to the teacher of the school before the child is admitted.

Attest: C. E. DAVIS, JR., *Clerk.*

NOTE.--In the notification to the board of health, please state the name, age, street, number, and ward where the patient lives.

Much of the value of such ordinances depends upon co operation with the board of health, andappreciation of their individual responsibility on the part of family physicians. If they are on the alert to *discover*, and prompt to *report* all such cases, and, at the same time, intelligent on the subject of *preventive* as well as *curative* measures, our tasks as officers of the Health Department would be many fold more pleasant and effective.

But, unfortunately, we not unfrequently find physicians in many communities, who, out of consideration for what they erroneously judge to be the best interests of the family, neglect to report even cases of *small-pox*, deferring to the feelings or ignorance of the patient and friends, rather than consulting the general good of the neighborhood. Such will probably be our experience with *scarlet fever*, when we undertake the enforcement of the ordinance requiring reports of all cases, that the board may take cognizance of them, but we cannot believe that the

great majority of first-class practitioners will hesitate to lend a willing and earnest support to such effort when inaugurated by the board.

Diphtheria, now generally recognized as a contagious disease, which ranks next to small-pox in the dread it excites among the people, and which, of late years, has been the cause of great fatality in all the large cities, has not failed to visit us.

Referring to the chart we find 44 fatal cases located in the various sections; those east of Fourteenth street, to North Capitol, from B to Boundary, having been most afflicted, 26 cases, or about 59 per cent. of the whole number, being found within those limits.

It is true that those are the most densely populated squares of the city; true also that that region is most thoroughly drained, except in the extreme northeastern section. In the vicinity of O street and North Capitol, where there was a pond of stagnant water in the street nearly the whole year, 6 fatal cases appeared.

Between N and Rhode Island avenue and Tenth and Thirteenth streets, is another group; in that region there has been great scarcity of Potomac water, and consequently imperfect condition of water-closets in houses; there are also large numbers of crowded shanties in the vicinity. A great many of our complaints of defective drainage, want of sewer-traps, &c., were from the locality between Fourteenth and North Capitol streets. Reasoning upon the theory now accepted, that sewer-gases and dampness from broken sewers are most productive of this disease, we may fairly conjecture that they were important elements in this diphtheria-exhibit. We have, also, within those boundaries, the classic localities denominated as "Bates' Alley," "Hog Alley," "Goat Alley," "O Street Alley," "Shepherd's Alley," and so on down even to "Hell's Bottom," into all of which are crowded masses of the poorest and lowest class, in such habitations as I have described in a former part of this report.

We find typhoid fever most prevalent, of course, in the most populous sections of the two cities; but the number of fatal cases bounded by M street on the north and Fourteenth street on the east is, considering the population, large in proportion. Many cases, as well as of the other zymotic diseases, are found grouped around the region of L, M, and Nineteenth to Twenty-first streets, northwest, where extensive filling of the bed of Slash Run has been made, and ponds of stagnant water and unfinished alleys exist. This principal division on our map is, no doubt, particularly subject to the malarial emanations from wide river-marshes just south of its border.

In South Washington we find zymotic diseases prevailing mostly between Third and Seventh streets, north of L street, and in no greater proprotion than in other sections thought by many to be more favored in a sanitary point of view. The open sewer conduit south of G street to the river, filled constantly with a seething mass of filthy water, flowing through the eastern portion of this section, and the ponds of stagnant water in the bed of the old canal, are undoubtedly most destructive to the health of all residents in that vicinity.

Here, as in all other sections, we appreciate the necessity for statistics showing the number of *cases* of zymotic disease as well as *deaths*, in order to form satisfactory conclusions as to the relative sanitary conditions.

In the southeastern section we find the deaths from these diseases nearly double those in the northeastern, even among the squares equally populous. This fact is, probably, owing in part to the influence of the malaria-bearing river-banks in the southeast, and the impoverished

condition of a large class, who, from their habits of living, are rendered peculiarly susceptible to the more fatal types of zymotic diseases.

It is interesting to trace on our chart the groups of diseases, and, as it were, the trail of death through the city; also to note the wide spaces in both cities, charmed spots which the destroying angel passed over, as he did the houses of the Hebrews when he put to death the first-born of the Egyptians.

But, were we to prepare a map of the entire mortality of the District of Columbia, from all causes, numbering 4,103 deaths, instead of the principal "zymotic or preventable" diseases so called, we would very likely find that few squares were protected by the blood of the paschal lamb.

An ambulance constructed with all the modern appliances for the conveyance of sick and wounded paupers or strangers to the hospitals, or other unfortunate persons in the same condition found on the streets, to their homes, should be kept constantly available at the office of the Board of Health and under its control, as in other cities, whence it may be summoned at any moment by telegraph. Also an ambulance for exclusive use in conveying persons suffering from contagious diseases. I recommend that an appropriation be asked for these purposes.

The small-pox hospital, although it has lately been put in as good condition as possible, is in many respects unsuitable and its location subject to constant complaint.

It appears to be the convenient and desirable opportunity now for the board of health to agitate the question of the construction of a new hospital for contagious diseases at some less objectionable point and having every improvement for the care and comfort of those unfortunate persons who may be brought there for treatment, and the protection of the community against infection.

Comparative statement of condemnations of unwholesome food for the years 1873, '74, '75, '76, '77.

Years.	Beef, pounds.	Veal, pounds.	Mutton, pounds.	Bacon, ham, and pork, pounds.	Birds, rabbits, and squirrels.	Poultry, pounds.	Eggs, dozens.	Cheese and butter, pounds.	Potatoes, bushels.	Beans, pease, and onions, bushels.	Beets, radishes, and asparagus, bunches.	Cabbage and lettuce.	Squashes and pumpkins.	Corn, dozens.
1873	11,650	11,296	1,335	3,853	453	824	.....	50	.....	172	391	4,458	.....	17
1874	10,139	2,981	2,316	7,478	861	1,800	485	.....	167	245	546	10,819	88	121
1875	9,507	2,495	2,029	4,063	961	1,125	2,702	1,559	160	705	1,188	9,105	1,415	786
1876	9,396	2,811	2,135	7,875	670	3,270	2,632	86	350	92	39	15,118	1,075	1,032
1877	6,976	3,029	3,068	3,234	819	5,284	3,314	150	242	128¾	1,499	3,277	24	642
Total	47,668	22,612	10,883	26,503	3,764	12,303	9,133	1,845	919	1,342¾	3,663	42,777	2,602	2,598

Years.	Cucumbers, dozens.	Egg-plants.	Tomatoes and turnips, bushels.	Kale, barrels.	Rhubarb, bunches.	Apples, bushels.	Peaches and pears, bushels.	Watermelons.	Cantaloupes.	Berries, boxes.	Cherries, boxes.	Cocoanuts.	Oranges and lemons.	Miscellaneous fruits and vegetables, bushels.
1873	1,976	180	.....	.....	.....	25	197	9,160	2,339	114	158	.....	22	.....
1874	2,966	359	154	18½	100	138	149	7,977	7,117	2,378	19½	.....	.....	27
1875	3,690	1,025	195	134	123	304	1,098	20,689	6,162	750	1,336	513	128	261
1876	1,624	1,305	82	30	138	193	64	11,083	6,626	652	10,112	500	206	1,213
1877	393½	380	287	124	40	132	532	15,689	6,514	1,053	1,184	.....	76½	97½
Total	10,649½	3,249	718	306½	401	792	2,040	64,598	28,758	4,947	3,809½	1,013	432½	1,598½

Value of the above, when of wholesome quality: 1873, $6,906.23; 1874, $8,677.78; 1875, $9,993.68; 1876, $11,926.68; 1877, $5,082.75. Grand total, $42,587.12.

FOOD INSPECTION.

I transmit the reports of the inspectors of food and of marine products, and commend their suggestions to the consideration of the board.

It is an event devoutly prayed for that this service, which concerns the nutriment of the people and very intimately their *health*, be provided for as its importance demands. The farce of attempting "to prevent the sale of unwholesome food in the cities of Washington and Georgetown" by the agency of *two* inspectors alone appears so ridiculous to every man who understands the scope of said requirement of the organic act, that we might well wonder why the original force was not *increased* instead of *reduced*, did we not believe that no appreciative knowledge of the subject involved actuated the authors of the reduction.

Few men study this question; hence their prevailing ignorance, which begets prejudice, until they are found even militating against their own individual interests. If the limits of this report would allow even a detailed statement of the poisons and unwholesome elements which may and *do* often reside in meats and food of nearly every variety, as well as of the diseases known to have been engendered thereby, and could these facts be brought home by proofs to the individual conviction of those men who fix the limit of this service, the absurdity of the present small appropriation would unquestionably be apparent to them.

The inspection of live-stock before sent to the slaughter-houses to prevent the killing of diseased cattle for food, an essential precaution long since adopted in many European cities; the frequent inspection and analysis of milk, which enters so largely into the food of all classes, especially of children, and which in other cities is found to be subject to great adulteration; the analysis of the hundreds of varieties of groceries, candies, &c., which are universally adulterated, sometimes poisoned—none of these important features can be introduced within the jurisdiction of the board, because they cannot find men so public-spirited as to undertake the task gratuitously.

They are limited to the employment of *two* men, who have done *well*, as the tabular statement indicates; but every day's observation of the service and study of the opportunities for fraudulent practice to the detriment of the consumers, on the part of the producers and dealers, so impresses me with the necessity for a more comprehensive as well as minute detective supervision in this direction, that my great desire is to sustain by facts and experience the committee on food inspection, and the board of health in their action looking to the increase of this service, and I trust more deliberate and appreciative consideration will be given to the subject by Congress when it shall be again presented.

Consolidated report showing condemnations of unwholesome food for the year ending September 30, 1877.

Months.	Beef, pounds.	Veal, pounds.	Mutton, pounds.	Bacon, ham, and pork, pounds.	Birds, rabbits, and squirrels.	Poultry, pounds.	Eggs, dozens.	Cheese and butter, pounds.	Potatoes, bushels.	Beans, peas, and onions, bushels.	Beets, radishes, and asparagus, bunches.	Cabbage and lettuce, heads.	Squashes and pumpkins.	Corn, dozens.	Cucumbers, dozens.	Egg-plants.	Tomatoes and turnips, bushels.	Kale, barrels.	Rhubarb, bunches.	Apples, bushels.	Peaches and pears, bushels.	Watermelons.	Cantaloupes.	Berries, quarts.	Cherries, bushels.	Oranges and lemons, dozens.	Miscellaneous fruit and vegetables, bushels.
1876.																											
October	723	323	119	18	20	760	.....	.....	5	.....	.....	1, 195	...	65	3	142	...	.....	.....	1	.....	1, 162	7	.....	.....	.....	$9\frac{1}{2}$
November	326	187	236	130	531	1, 159	.....	.....	21	.....	.....	415	.....	...	...	...	17	...	...	$2\frac{1}{2}$	...	12	.....	.....	.....	.....	.....
December	.....	46	34	49	..	410	.....	...	127	.....	.....	12	.....	..	.....	...	.....	.....	...	2	..	.....	.....	.....	...	...	.....
1877.																											
January	18	35	15	78	175	454	77	..	..	.....	.....	.....	...	...	.....	.....	...	.....	.....	...	...	.....	.....	.....	..	...	70
February	12	108	1, 156	129	43	1, 216	152	...	...	.....	.....	188	24	...	...	..	...	.....	...	...	...	.....	.....	.....	..	...	17
March	129	263	75	170	50	1, 162	90	..	18	.....	.....	.....	...	..	..	..	.....	7	.....	5	..	.....	.....	.....	.....	...	.....
April	94	469	100	650	..	43	.....	.....	6	.....	685	.....	...	..	..	...	...	95	20	18	...	.....	.....	.....	.....	...	.....
May	249	335	138	287	....	80	170	..	37	7	.....	.....	..	..	13	..	1	22	..	3	....	.....	.....	20	.....	...	.....
June	732	397	320	458	..	.....	60	150	16	$60\frac{1}{2}$	733	305	.....	..	$198\frac{1}{2}$	..	$31\frac{1}{2}$	.....	20	27	..	.....	.....	742	$34\frac{1}{2}$	24	1
July	845	259	282	423	..	.....	735	...	2	$37\frac{3}{4}$	81	749	.....	73	56	12	15	.....	...	49	53	19	53	289	$2\frac{1}{2}$	$52\frac{1}{2}$	.....
August	3, 277	413	404	323	...	.....	1, 150	...	10	$23\frac{1}{2}$	.....	243	.....	437	123	167	113	..	.....	15	414	8, 135	1, 699	.....	.....	.....	.....
September	571	194	189	519	..	.....	880	...	..	.....	.....	170	.....	67	...	59	$13\frac{1}{2}$	.....	...	$6\frac{1}{2}$	65	6, 358	1, 755	.....	.....	.....	.....
Total	6, 976	3, 029	3, 068	3, 234	819	5, 284	3, 314	150	242	$128\frac{3}{4}$	1, 499	3, 277	24	642	$393\frac{1}{2}$	380	287	124	40	132	532	15, 686	6, 514	1, 053	37	$76\frac{1}{2}$	$97\frac{1}{2}$

Value of above condemnations when of wholesome quality, $5,082.75.

Inspections and condemnations of marine products for year ending September 30, 1877.

Date.	Inspections.								Condemnations.								
	Shad.	Tailors.	Herring.	Fish, bunches.	Sturgeon.	Oysters, bushels.	Clams.	Crabs.	Shad.	Herring.	Fish, bunches.	Sturgeon.	Tailors.	Oysters, bushels.	Clams.	Crabs.	Total pounds fish.
1876.																	
October	.....	.....	.....	32, 442	.....	63, 888	.....	.....	.....	.....	473	.....	.....	1, 038	.....	.....	.....
November	.....	.....	.....	23, 148	.....	59, 476	.....	.....	.....	.....	948	.....	.....	1, 558	.....	.....	.....
December	.....	.....	.....	25, 787	.....	55, 143	.....	.....	.....	.....	171	.....	.....	593	.....	.....	.....
1877.																	
January	.....	.....	.....	16, 765	.....	32, 656	.....	.....	.....	.....	115	.....	.....	81	.....	.....	.....
February	.....	.....	.....	28, 080	.....	35, 228	.....	.....	.....	.....	208	.....	.....	178	.....	.....	.....
March	3, 348	.....	2, 600	74, 700	.....	27, 555	21, 000	.....	.....	.....	325	.....	.....	3, 625	.....	.....	.....
April	91, 509	1, 975	916, 600	33, 397	.....	5, 870	38, 000	14, 675	9	.....	936	.....	.....	919	.....	1, 675	.....
May	34, 114	3, 475	1, 616, 524	25, 388	134	1, 655	158, 925	90, 100	114	6, 524	620	1	175	480	4, 650	16, 925	.....
June	2, 228	.....	26, 400	46, 379	334	676	318, 570	120, 625	3	500	1, 324	47	.....	258	15, 590	17, 715	.....
July	.....	.....	.....	1-, 762	167	458	177, 750	65, 650	.....	.....	570	29	.....	168	13, 800	11, 950	.....
August	.....	.....	.....	20, 565	.....	972	134, 925	51, 770	.....	.....	590	6	.....	199	8, 650	9, 270	.....
September	.....	.....	.....	16, 338	.....	12, 623	14, 300	4, 575	.....	.....	213	.....	.....	1, 630	850	375	.....
Total	131, 199	5, 450	2, 572, 124	361, 749	635	295, 997	863, 470	347, 415	126	7 021	6, 393	83	175	10, 677	43, 540	57, 800	.....
Total pounds fish	655, 995	10, 900	1, 800, 486	1, 808, 745	127, 000	.....	.....	.....	630	4, 916	31, 965	16, 600	350	.....	.....	.....	4, 457, 787

Value of above condemnations when of wholesome quality, $8,326.94.

OFFICE OF THE HEALTH OFFICER,
DEPARTMENT OF FOOD INSPECTION,
Washington, November 10, 1877.

SIR: I have the honor to present my sixth annual report of the condemnations of unwholesome food for the year ending September 30, 1877.

The only drawback to the perfect working of the service during the past year has been the lack of sufficient force to cover the whole territory and push our work with that thoroughness its importance demands.

That our efforts to prevent the sale of unwholesome food are growing in public favor is daily evidenced, and but four times during the year has the strong arm of the law been resorted to for our support against resistance and protection of the community against wrong. It is needless to add that in every case the right was sustained.

The good to result from our labors is fast becoming fixed upon the minds of the whole public; they begin to see that, in forbidding the sale of unripe, overripe, diseased, adulterated, or unsound articles of food, we are but dashing the cup of poison from their lips. The better class of dealers are with us, and many who once threw stumbling-blocks in our way now put forth a helping hand. It is only the ignorant and the mercenary, who prey upon ignorance and poverty, that now oppose us.

MEATS.

The meats sold in the District of Columbia may be divided into three classes, viz: The first class, that killed here by our regular butchers; the second class, an article imported and sold by second-class dealers and venders at large; and the third class, of poor meats, devoid of nutriment and used mostly in sausages.

The beef question excited some interest in our city last spring, and was discussed *pro* and *con* by both press and public. The attempt was made to ship American beef to England at about that time, and it was rumored that prices to be asked there were less than those of our markets. The discussion at the time showed conclusively that the *theories* of shippers in other cities had no relation to the *practice* of butchers in Washington.

The butchers who supply our markets have many disadvantages to contend with not met in other cities of our population. Washington is not a beef market for other than home consumption. Her citizens are largely brain-workers, and demand the tender nutritious cuts, the best meat only. Probably in no other city of our country is there so little demand for the poorer quality of meats.

The dealers, then, labor under a disadvantage both in buying and selling. They are not afforded the opportunity of their brethren in stock-market cities either in selection or bargains, and are obliged to ask good prices for the best meats, having little or no demand for the poorer.

Condemnations of home-killed meats are very rare. The first-class dealers kill only the best, and have the most approved modern arrangements for preserving it. A large proportion of the condemned is made up of corned beef in the hands of the second-class dealers and the imported article at commission-houses; 1,612 pounds of the latter, in one lot, was condemned during the month of August. Occasionally beef is brought in from the surrounding country, and for this I am ever on the alert. When the farmer turns butcher a suspicion is at once aroused.

There are those who would not hesitate to dispatch an animal whose leg had been accidentally broken, or some other bodily function impaired, and offer the fevered or diseased meat as food for consumption in the city. An instance of this kind transpired only a few weeks since. The meat was captured and the owner only escaped prosecution on a well-sustained plea of ignorance—one of his employés being the criminal and beyond our reach.

Veal.—The condemnations of veal have been larger this year than for three years previous. In explaining the reasons of this increase, I would, the second time, call attention to a subject upon which action, prompt and thorough, is urgently demanded.

Fully one-half the condemnations of veal, which foot up 3,029 pounds, have been the meat of calves too young for food, and indeed one of the prosecutions referred to in the beginning of this report was against a party for exposing such for sale.

Before a calf is a certain age the flesh fiber has not become knit together, and, when cooked, becomes a slimy, glutinous mass, poisonous to some persons, more especially during the warm seasons.

I would recommend the framing of an ordinance making it an offense, punishable by fine, to offer for sale the flesh of a calf under four weeks old and weighing less than one hundred pounds.

Mutton.—The necessity for an inspector of live stock presents itself more strongly here than elsewhere. Sheep, throughout the entire country, are affected with various diseases, and I doubt not many such reach our markets. I have myself, by chance, come upon seventy-five live animals in an unsound condition during the past year, and prevented their sale in this market. But had these same come upon the market-stalls as mutton, difficulty would have been experienced—without microscopical or analytical examination—in establishing sufficiently their unsound condition to warrant condemnation.

The condemnations of mutton for the year are larger than in any previous year since the inauguration of the service, as shown by the comparative statement, and amount in the total to 3,068 pounds.

The condemnations of bacon, ham, and pork have been small.

Care has to be exercised in the inspections of pork. In several instances has this meat come to our commission-houses from farmers, whose hogs being threatened, or perhaps already attacked, with *cholera*, sought to avert their loss by placing the meat in our market. Fortunately meat from an animal having cholera is easily distinguished, and was in every case promptly condemned. The condemnations of ham and bacon are, as a rule, caused by ineffectual curing.

Poultry.—The condemnations of this class of meat have been large, ranging next to beef in quantity. The bringing of live poultry from the country, keeping the fowls cooped up for hours, days, and sometimes weeks, without proper food and water, and then selling the same for food, is an evil which demands a remedy. The question of a remedy is, however, one hard to deal with, and the best plan is to educate the buyers into ascertaining before purchase is made that the crops of the fowls contain food, and that they have had access to water. When the public demand these things, dealers will not be slow to supply the deficiency.

The vegetable market has been good, as usual, and condemnations, aside from melons, small.

Hoping that this exhibit and brief report may prove satisfactory to the board of health and yourself, as the result of my labors for the year,

and that greater benefits to the public may accrue as the service grows to perfection,

I am, very respectfully, your obedient servant,

WILLIAM WOLF,
Inspector of Food.

P. T. KEENE, M. D.,
Health Officer, District of Columbia.

WASHINGTON, D. C.

SIR: I herewith present my report as inspector of marine products for the year ending September 30. In the preceding annual report some remarks were made as to the fish-dealers and the public having become more satisfied with the service. In this report it becomes a pleasing duty to say that it is very rare any one attempts to throw any obstacle in my way, or to obstruct me in my duty, and the general acquiescence in the rules and regulations has made the excution of my duties more pleasant than heretofore. The boatmen and others deserve a good word for the aid and assistance given me, when it is considered that the inspection of fish under the rules of the board was a radical innovation on the former custom. It would not have been surprising if there had been many more violations of the rules and cases of obstructing the inspector more frequent. The statement accompanying this report shows a grave falling off, as compared with last year, in every description of fish, except herring. The inspections of oysters fell off about 60,000 bushels, and clams and crabs increased; the former 159,000, and the latter over 30,000. The falling off in the inspections of shad is without doubt owing to the causes stated in previous reports—gill and pound nets. The number of these nets have increased, if possible, more rapidly than during any previous year, and not only the residents of the States of Maryland and Virginia engaged in tending these nets, but numbers from Delaware, Pennsylvania, and other States, are engaged in this business; some of them, probably, owing to the difficulty in finding employment in the mechanical branches of business, turning their hands to this in general.

The waters of the Potomac may be said to run through a series of rivers, and but few shad on their way to the spawning-waters up the river can escape. If the gillers could be induced to forego fishing if but a day or two each week, probably the delicious Potomac shad would be more plentiful; but if they continue to fish as thoroughly in the future, it will be but a few years before the Potomac shad will be a luxury beyond the reach of the poor or middle classes. It is to be hoped that the gillers will see that it is to their interest as well as the community that this fine fish does not become extinct in this river. It is unfortunate that but a small portion of the Potomac River, from whence comes an ample supply of fish, is within the jurisdiction of the District, but it is the duty of the Marylanders and Virginians also to protect the fisheries, and it is to be hoped that ere long the stringent law passed by the Maryland legislature will be enforced and this industry preserved.

It will be observed that the number of herring inspected exceeds in a total of two and one-half million the quantity of last season by over one million. There has been considerable conjecture as to why the increase of this fish and the decrease of shad, but with your inspector it is a matter past finding out for the present.

The gill net is no obstruction to herring, and as the number of tailors or blue-fish has fallen off it is likely that fewer of them were killed by

the tailor, who is said to be a fighter. The number of clams inspected here it will be seen was far beyond the number last year, and there has also been an increased number of crabs inspected. Clams generally remain but a short time in the market, but as the warm weather is the season for them they spoil in a very short time, hence the large number of condemnations. These remarks are also applicable to the inspection of crabs. It will be observed that the number of oysters inspected is considerably less than last season, and there is but little doubt that the decrease was caused by the excessive cold weather. It will be remembered that last winter the temperature was variable, and in March last when there was quite a number of boats at the wharf there was a sudden change, and consequently many oysters spoiled on the boats. These were condemned, and the captains readily complied with my orders to take them back down the river.

If there is one evil demanding attention above another it is the hawking of unsound oysters by many of those engaged in retailing from buckets. While there are some who have principle enough not to sell stale oysters left on their hands, there are many who deem it a duty to palm off what they have in their buckets; some of them are carried in buckets until they become poisonous. Generally speaking these men buy the cheapest oysters they can find; if they find a cargo of large ones, the price of which has been lowered because they are getting old, they seem satisfied, and these stale oysters are hawked from house to house. No doubt much of sickness in winter is caused by this practice.

I have observed, too, that the crying of oysters and the blowing of horns by those men is trying to sick persons or those who have weak nerves. In some parts of the city the sound of the horn and the unmusical cry of "o-y-s-t-ers" is almost continuous. Before closing I would express the belief that if the proposed fruit-packing house is established near the river, and used in winter for the packing of oysters, the trade would be greatly improved, and much loss now entailed because the captains do not find ready sale would be avoided, as their cargoes, could, if the offers of private parties are not satisfactory, be at once run in the packing-house.

In concluding this report I must say that during the past year, while endeavoring to perform my duties to the very letter I have had so little trouble that in reviewing the year's labor I can remember but little else than pleasant intercourse both at the wharf and at the office of the board.

Trusting that my labors are appreciated by the board, that the service will continue to improve, and my reports become more and more acceptable, with thanks to you for the many valuable suggestions I have received,

I am, very respectfully,

C. LUDINGTON,
Inspector of Marine Products.

P. T. KEENE, M. D.

THE POUND.

I invite the attention of the board to the report of the pound-master.

This service, anomalous to a health department, is, nevertheless, recognized in all cities to be an indispensable police requirement. Were it not for such an institution, vigorously managed, in the cities of Washington and Georgetown, much damage would be done daily to the trees and parkings in every direction. We now seldom see domestic animals at large in the more populous sections of the cities, and then only when they accidentally break loose. But in the outskirts, where open squares covered with grass tempt them to graze, although customarily attended by keepers, not unfrequently they stray in search of "fresh fields and pastures new," and, so trespassing, are detected and impounded. Goats, especially destructive to all vegetation, and whose gastronomic functions hesitate at nothing they can masticate, are the species most acceptable to the ubiquitous impounders, and they sometimes ride home at night with a dozen of these solemn-visaged trespassers. In the delectable region called "Swampoodle" they are most encouraged to ruminate, and, so intimately connected are they with some of the natives of that region, that, when they scent the approach of their enemy, the pound-man, from afar, they flee precipitately through the open door into the very bosom of the family, and woe be unto the said officer if he invade those precincts, bent on plunder, unless flanked by policemen clad in all the authority of blue coat, baton, and buttons. The pound-master recommends, and I earnestly second the motion, that the goat be raised in the ordinance to the dignity of a first-class animal, and that his redemption cost his friends $2 instead of $1, the present fee.

I would again call the attention of the board to the necessity for an ordinance restricting the limits of grazing-ground in the cities, and the passing through certain streets of large droves of cattle, from which there is often much danger to little children and feeble persons as well as to the sidewalks, trees, and parkings.

OFFICE OF THE POUND-MASTER, *Nov.* 12, 1877.

SIR: I have the honor to present herewith my annual report of the operations of the pound service during the year ending September 30, 1877.

During this season, as in the past, eternal vigilance has been my motto, and the work has been pushed forward conscientiously and energetically, our labors covering night as well as day, Sunday as during the week. Labor of exactly this class is called for in the pound service; constant lessons must be taught the owners of stock to prevent depredations of animals upon the public parks and private property.

DOGS.

Notwithstanding the reduction of the force of laborers, I point with pleasure to an increase in the total number of animals impounded over that of last year. This may be accounted for by two reasons: our labor has been unremitting, and experience has made the men more skillful in the capture of dogs, wherein the increase is largely shown. During the past season there were 2,456 dogs impounded, of which number 2,088 were killed. In four years about 8,000 worthless curs have been disposed of in this manner, and yet at the beginning of next season the army will no doubt have recruited to its usual strength. It is my belief that these animals are largely a transient population, many of them

coming in from the adjacent country, becoming lost from their owners and straying as vagabonds until met by the unrelenting net of the poundman. No one calls for them as for the pampered pets or aristocratic canines who fall into our clutches, and they go to make up the large number killed daily. Few of those killed are what might be termed valuable dogs; few of any special breed or species; the large majority being that mongrel designated as the "whipped cur," who slinks from house to house, in alleys and by-ways, his tail always between his legs, and seemingly conscious that he is without name or habitation.

The system of capturing dogs in this city is perhaps the best and most economical in vogue. In New York and other cities a stipulated price is paid by the poundmaster for every dog delivered at the pound. In New York the price paid is 50 cents each. This is a costly policy, as well as being an incentive to dishonesty. To take 2,456 dogs by this method would entail an expense of $1,228, whereas we have captured that number and 246 other animals at an expenditure of $671, nearly 50 per cent. less.

It must be the earnest desire of every good citizen that the community be ridded and kept rid of its transient population of curs which make night hideous by their howls. I would earnestly recommend the enactment of some law whereby the taking of these worthless animals might be continued the year round, while those of any real value might be exempt. The recommendation of the health officer, in his report of 1874, of "a law, which shall be rigidly enforced, requiring a license for every dog kept in the cities, and, at the same time, that every dog licensed shall wear a collar—his badge of respectability—having the owner's name, residence, and number of license; that every dog found anywhere without such collar shall be contraband, and liable to be impounded and shot, would accomplish the result desired."

GOATS.

Following dogs, in number, come goats. Washington, unfortunately has a very large number of these pestiferous animals. They do more mischief to the parking, young trees, and shrubbery, are the cause of more complaints and give us more trouble in their capture, than any other animal. They are, as a rule, the property of the poorer classes, who use them for milch purposes, and are a nuisance as well as annoyance wherever found. Their owners guard them zealously or keep them within doors during the day, and when night comes turn them loose to commit depredations upon private and public property. Complaints are frequent, and irate citizens often call me to witness the ravages wrought upon a lawn or flower-garden in a night where constant daily watch has failed to find the animals. Prompt and stringent measures should be taken to stamp out these pests within the city limits. I would recommend that the ordinance relating to the impounding of goats be so amended as to provide a redemption fee of $2 instead of $1, and that, like dogs, they be made to suffer the death penalty unless redeemed within twenty-four hours after capture.

OTHER ANIMALS.

There were few large animals impounded during the year; less than half the number taken two years ago, and nearly two-thirds less than three years ago. This shows that our constant raids have forced many to their proper grazing grounds beyond the city limits. Most of those

impounded were taken from the parking or reservations, where they had been driven either willfully or through ignorance of their keepers, the grass found on these places being of good quality and tempting to trespassers.

Between the 15th of May and the 15th of October the time of my small force had to be devoted almost exclusively to the capture of dogs, and the cow-graziers, being fully aware of this, lose no opportunity when they can safely trespass with their animals upon these public places, covered with rich, tender grass. In some instances these animals have been taken by police officers. It is the rule with them, when an animal taken astray is considered worth above $40, that it be placed in a livery-stable, from whence the owner can take it by paying charges for keeping while there. Animals worth less than the above amount are sent to the pound.

To prevent this grazing on the parks takes constant watchfulness, and, as I stated above, the laborers being employed in impounding dogs during the season when grazing is best, I find my force inadequate for the double task.

There are only four men employed, one of whom it is necessary to leave in charge of the pound during my absence. I would recommend that a sufficient appropriation be asked to employ seven men, so that during the warm season two wagons could be brought into service; we could then capture double the number of dogs, and also give due attention to larger animals.

THE POUND.

I would also call attention to the serious defects and disadvantages, both as to structure and location, of the present pound. It is situated at a remote point (Twenty-third street and New York avenue); sheds and office are dilapidated, the yard unpaved, without water supply, damp and unhealthy, especially in rainy weather, and altogether unsuited for its purpose. As it is situated in the street, and will undoubtedly have to be removed as soon as improvements are commenced, I would recommend the removal to some more central point, erection of suitable stable, sheds, and office, with sleeping-room for keeper, with concreted yard and other needed improvements, all of which I think could be accomplished by an outlay of $500. I would also recommend the purchase of a new pound-wagon, which is badly needed.

In concluding, I would tender my thanks to the officers of the Metropolitan police force, and especially to Lieutenant Kelley, of the seventh precinct, for cheerful assistance rendered me whenever asked.

To the board of health, and yourself as its executive officer, I am grateful for expressions of confidence in my integrity and good judgment in many instances.

Hoping I may continue to merit the same, I remain,

Very respectfully, your obedient servant,

SAMUEL EINSTEIN,
Poundmaster.

P. T. KEENE, M. D.,
Health Officer, D. C.

Operations of the pound for the year ending September 30, 1877.

Months.	Animals impounded.								Disposition.						Cash received from fees and sales.
	Horses.	Cows.	Mules.	Hogs.	Goats.	Geese.	Dogs.	Total.	Redeemed.	Killed.	Dogs killed.	Died.	Returned.	Sold.	
1876.															
October	4	5	1	....	18	22	175	225	81	144	138	....	....	....	$80 50
November	1	9	4	....	31	28	.....	73	56	12	.....	....	*1	†4	59 50
December	1	2	...	....	11	2	1	17	12	5	1	....	....	....	14 25
1877.															
January	....	....	....	....	6	.....	.....	6	6	.....	.....	....	....	....	6 25
February	....	....	1	...	13	10	.....	24	23	1	.....	....	....	....	18 50
March	2	2	...	9	15	.....	.....	28	20	8	.....	....	....	....	24 50
April	1	11	...	....	18	4	.....	34	28	6	.....	....	....	....	41 00
May	3	14	1	....	9	10	309	346	84	262	257	....	....	...	96 75
June	8	1	2	2	10	2	551	576	101	475	470	....	....	...	110 50
July	7	16	1	....	6	16	512	558	116	442	437	....	....	....	131 75
August	1	8	...	4	10	8	467	498	99	399	394	....	....	....	104 00
September	2	7	...	2	21	26	441	499	102	397	391	....	...	...	92 75
Total	30	75	10	17	168	128	2,456	2,884	728	2,151	2,088	....	1	4	780 25

*Goat. †Geese, $2.50.

The report of the medical sanitary inspector presents the scope of the service and the extent of the labor performed.

Many significant themes are presented by this elaborate exhibit, bearing upon the question of pauperism, the sanitary condition of the class furnishing most of the fatal cases here recorded, as well as the moral degradation indicated by the large number of deaths of *illegitimate* children reported. All of which subjects as suggested by a study of the report are of foremost interest to the government of cities, and the attention of the board of health is specially called to the importance of their consideration in the prospective conference with the honorable Commissioners regarding necessary legislation for the District.

BOARD OF HEALTH, OFFICE OF HEALTH OFFICER,
Washington, D. C., November 16, 1877.

SIR: I have the honor to submit herewith my annual report of the medical sanitary inspection service for the year ending September 30, 1877. The consolidated tabular statement shows a total of 1,004 cases referred to the medical sanitary inspector for investigation and report, being an increase of 316 over the cases referred for the year ending September 30, 1876, and that this special department of the sanitary service of the board has steadily increased, and with increasing ratio, since the service was organized three years ago. This service for the past year has been extended much farther beyond the limits of the cities of Washington and Georgetown and into the rural portions of the District than for any previous year, both for investigation of causes of death and local cause of disease.

The increase of population and the more rapid increase of poverty and destitution among the poor classes, and particularly the colored, has materially enhanced the number of cases referred and the labor and duties of the medical sanitary inspector. To this fact must be added the fact of entire failure of any appropriation for medical service to the destitute poor of the District, and is a painful reflection to the philanthropic mind and heart. The failure of those whose duty it was in the providence of God to provide for the unavoidable necessities of the "poor," whom it is appointed we are to "have always with us," was a mistake in sound policy, for it is written, "There is that withholdeth more than is meet and it tendeth to poverty"; which fact is to some extent illustrated by 377 burials at public expense, as against 204 for last year, being an increase of 173.

Consolidated tabular statement of cases referred to the medical sanitary inspector for the year ending September 30, 1877.

Cause of death and local cause of disease.	Male.	Female.	White.	Colored.	Adults.	Children.	Infants.	Total.	Illegitimate children.		Burials at public expense.		Improper disposition of body.		Local cause of disease.		Referred for diagnosis.
									White.	Colored.	White.	Colored.	White.	Colored.	White.	Colored.	
Aphthæ ulcerosa	4	6	.....	10	.....	.....	10	10	.....	2	2	6	.....	.....	.....	.....	.....
Apoplexy	2	.....	.....	2	2	.....	.....	2	.....	.....	.....	1	.....	.....	.....	.....	.....
Atelectasis pulmonum cong	26	15	6	35	.....	.....	41	41	1	14	1	18	.....	.....	.....	.....	.....
post-natal	8	2	2	8	.....	.....	10	10	.....	2	1	3	.....	.....	.....	.....	.....
Apnœa	3	3	1	5	.....	.....	6	6	.....	1	.....	2	.....	.....	.....	.....	.....
Anasarca	1	1	1	1	1	1	.....	2	1	1	.....	.....	.....	.....	.....	.....	.....
Anginosa maligna	1	.....	.....	1	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
Abscess, hepatic	1	.....	.....	1	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
Apoplexy, pulmonary	1	.....	.....	1	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
Ascites	1	.....	.....	1	.....	1	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....
Asthma	.....	1	.....	1	1	.....	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....
Anthrax, malignant	1	.....	1	.....	1	.....	.....	1	.....	.....	1	.....	.....	.....	.....	.....	.....
Bronchial congestion	7	2	1	8	4	1	4	9	.....	1	.....	3	.....	.....	.....	.....	.....
Broncho-pneumonia	29	27	.....	54	2	23	31	56	.....	9	.....	30	.....	.....	.....	.....	.....
Bronchitis	2	2	.....	4	1	.....	3	4	.....	.....	.....	2	.....	1	.....	.....	.....
capillary	1	.....	.....	1	.....	1	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....
Congenital debility	2	1	.....	3	.....	.....	3	3	.....	.....	.....	1	.....	.....	.....	.....	.....
Cerebral congestion	3	1	.....	4	1	.....	3	4	.....	2	.....	3	.....	.....	.....	.....	.....
Convulsions	42	37	7	72	.....	15	64	79	.....	26	.....	36	.....	.....	.....	.....	.....
Cerebro-spinal meningitis	1	2	2	1	1	2	.....	3	.....	.....	.....	.....	.....	.....	2	1	.....
Cynanche trachealis	1	1	.....	2	.....	.....	2	2	.....	1	.....	2	.....	.....	.....	.....	.....
Concussion of brain	.....	1	.....	1	.....	1	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....
Croup, membraneous	1	.....	.....	1	.....	.....	1	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
diphtheritic	1	.....	1	.....	.....	1	.....	1	.....	.....	1	.....	.....	.....	.....	.....	.....
Cholera infantum	2	7	3	6	.....	1	8	9	.....	1	.....	5	.....	.....	.....	.....	.....
Cancrumoris	1	.....	.....	1	.....	1	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....
Chill, malignant	2	.....	1	1	2	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....
Cystitis, chronic	1	.....	1	.....	.....	1	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
Diarrhœa	11	13	2	22	.....	6	18	24	.....	4	1	20	.....	.....	.....	.....	.....
ablactatorum	.....	7	.....	7	.....	.....	7	7	.....	2	.....	3	.....	1	.....	.....	.....
Diphtheria	15	16	19	12	2	20	9	31	.....	.....	.....	2	.....	.....	19	9	.....
Dysentery	4	4	.....	8	2	.....	6	8	.....	1	.....	4	.....	.....	.....	.....	.....
Diarrhœa, chronic	2	1	2	1	3	.....	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	.....
Drowning	.....	1	.....	1	1	.....	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....
Duodenitis	.....	1	1	.....	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
Entero-colitis	16	16	3	29	.....	4	28	32	.....	14	.....	12	.....	.....	.....	.....	.....
Exhaustion	.....	1	.....	1	.....	1	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....
Erysipelas	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
phlegmonous, of scalp	.....	3	1	2	2	.....	1	3	.....	1	.....	.....	.....	.....	.....	.....	.....

Consolidated tabular statement of cases referred to the medical sanitary inspector for the year ending September 30, 1877—Continued.

Cause of death and local cause of disease.	Male.	Female.	White.	Colored.	Adults.	Children.	Infants.	Total.	Illegitimate children.		Burials at public expense.		Improper disposition of body.		Local cause of disease.		Referred for diagnosis.
									White.	Colored.	White.	Colored.	White.	Colored.	White.	Colored.	
Erysipelas, phlegmonous, of scrotum	1	.....	.....	1	.....	.....	1	1	.....	1	.....	1	.....	.....	.....	.....	.....
Epistaxis	.....	1	.....	1	.....	1	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
Embolism, cardiac	.....	1	.....	1	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
cerebri	.....	1	1	.....	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fever, typhoid	32	31	37	26	34	26	3	63	.....	.....	.....	4	.....	.....	37	21	.....
typho-malarial	8	6	11	3	10	3	1	14	.....	.....	.....	.....	.....	.....	11	3	.....
malarial	1	3	3	1	4	.....	.....	4	.....	.....	.....	1	.....	.....	2	.....	.....
scarlet	56	51	86	21	5	81	21	107	.....	.....	.....	1	1	.....	86	17	.....
malignant	.....	1	1	.....	.....	1	.....	1	.....	.....	.....	.....	.....	.....	1	.....	.....
cerebro-spinal	1	2	2	1	1	1	1	3	.....	.....	.....	.....	.....	.....	2	1	.....
remittent	2	13	7	8	6	8	1	15	.....	.....	.....	1	.....	.....	8	7	.....
typhus	1	.....	.....	1	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	1	.....
malarial remittent	2	2	.....	4	3	1	.....	4	.....	.....	.....	1	.....	.....	.....	2	.....
malignant	2	1	3	.....	3	.....	.....	3	.....	.....	.....	.....	.....	.....	2	.....	.....
infantile remittent	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	.....	.....	.....	.....
Gastro-enteritis	5	9	4	10	3	1	10	14	.....	2	2	5	.....	.....	.....	.....	.....
Hydrocephalus	2	5	2	5	.....	5	2	7	.....	.....	.....	3	.....	.....	.....	.....	.....
Hydro-pericardia	.....	1	.....	1	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hemorrhage, pulmonary	5	3	1	7	7	1	.....	8	.....	.....	.....	4	.....	.....	.....	.....	.....
from bowels	.....	1	.....	1	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
umbilical	.....	3	.....	3	.....	.....	3	3	.....	.....	.....	1	.....	.....	.....	.....	.....
Hernia, strangulated	1	.....	.....	1	1	.....	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....
Icterus neonatorum	2	1	.....	3	.....	.....	3	3	.....	2	.....	1	.....	.....	.....	.....	.....
Inanition	5	5	1	9	.....	.....	10	10	1	5	.....	6	.....	.....	.....	.....	.....
Inflammation of umbilicus	1	.....	.....	1	.....	.....	1	1	.....	1	.....	.....	.....	.....	.....	.....	.....
Melæna neonatorum	1	.....	.....	1	.....	.....	1	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
Metroperitonitis	.....	2	.....	2	2	.....	.....	2	.....	.....	.....	2	.....	.....	.....	.....	.....
Meningitis	.....	2	.....	2	.....	.....	2	2	.....	.....	.....	1	.....	.....	.....	.....	.....
Marasmus	1	.....	.....	1	.....	.....	1	1	.....	.....	.....	1	.....	.....	.....	.....	.....
Nephritis, desquamative	.....	1	.....	1	.....	1	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....
Otitis (resulting in meningitis)	1	.....	.....	1	.....	.....	1	1	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pertussis	6	1	.....	7	.....	1	6	7	.....	2	.....	4	.....	.....	.....	.....	.....
Phthisis pulmonalis	27	32	12	47	50	7	2	59	.....	.....	.....	26	.....	.....	.....	.....	.....
Pneumonia	11	5	1	15	7	5	4	16	.....	5	1	9	.....	.....	.....	.....	.....
Peritonitis	.....	2	.....	2	.....	.....	2	2	.....	.....	.....	1	.....	.....	.....	.....	.....
Pulmonary congestion	2	4	3	3	5	1	.....	6	.....	1	2	.....	.....	.....	.....	.....	.....
Pneumonia, typhoid	3	7	1	9	10	.....	.....	10	.....	.....	1	6	.....	.....	.....	.....	.....
tubercular	2	5	3	4	4	3	.....	7	.....	.....	1	3	.....	.....	.....	.....	.....
Paralysis	.....	1	.....	1	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....

Pyricaustum	.....	2	.....	2	.....	2	.....	2	.....	.....	.....	1	.....	.....	.....	.....	.....	
Peritonitis from inflammation of umbilical cord	1	.....	.....	1	.....	.....	1	1	.....	1	.....	.....	.....	.....	.....	.....	.....	
Puerperal pleuro-pneumonia	.....	1	1	.....	1	.....	.....	1	.....	.....	1	.....	.....	.....	.....	.....	.....	
Premature birth	.....	1	1	.....	.....	.....	1	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Pneumonia, traumatic	1	.....	.....	1	.....	.....	1	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Pleuro-pneumonia	1	1	1	1	2	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Paralysis of stomach and œsophagus	1	.....	1	.....	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Suffocation	1	.....	.....	1	.....	.....	1	1	.....	.....	.....	1	.....	.....	.....	.....	.....	
Still-birth	59	60	12	107	.....	.....	119	119	.....	44	6	62	.....	1	.....	.....	.....	
Senile debility	4	3	2	5	7	.....	.....	7	.....	.....	.....	2	.....	.....	.....	.....	.....	
Scirrhus of stomach	1	.....	.....	1	1	.....	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....	
Scarlatina toxæmia	1	2	2	1	.....	2	1	3	.....	.....	.....	.....	.....	.....	1	.....	.....	
Trismus nascentium	44	31	11	64	.....	.....	75	75	1	22	1	29	.....	.....	1	.....	.....	
Tubercular broncho-pneumonia	4	1	.....	5	.....	5	.....	5	.....	1	.....	3	.....	.....	.....	.....	.....	
bronchitis	3	5	.....	8	.....	6	2	8	.....	1	.....	5	.....	.....	.....	.....	.....	
meningitis	1	3	.....	4	.....	3	1	4	.....	1	.....	2	.....	.....	.....	.....	.....	
Tabes mesenterica	1	.....	.....	1	.....	.....	1	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Valvular disease of heart	5	6	2	9	11	.....	.....	11	.....	.....	.....	4	.....	.....	.....	.....	.....	
Varicella	.....	1	.....	1	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	1	
Variola	2	2	2	2	1	3	.....	4	.....	.....	.....	.....	.....	.....	.....	.....	4	
Varioloid	2	3	1	4	5	.....	.....	5	.....	.....	.....	.....	.....	.....	.....	.....	5	
Total	506	498	270	734	221	249	534	1,004	4	172	22	355	1	3	172	64	10	

I may refer to some of the more prominent and important facts disclosed in the tabular statement. The increase of deaths from zymotic disease over that of last year deserves notice, being 216 as against 137 for the year 1876, showing an increase of more than 30 per cent. In explanation of this fact must be considered the largely increased average rain-fall during the past spring and summer, and the greater prevalence of surface water and soil saturation. Of the 1,004 cases referred 270 were white and 734 colored, being about the same ratio for the year 1876, and showing a ratio of excess of deaths of colored population over the white of 464, which is accounted for in the prevailing insanitary condition of the average tenement-houses, shanties, and localities of abode available to a large per cent. of the destitute poor, particularly of the colored population of the cities of Washington and Georgetown, and their more populous suburbs.

The large per cent. of mortality of childhood and infancy as exhibited in the table, being more than 60 per cent. of the whole number of deaths investigated among the population from which the data is mainly drawn, is suggestive. This large waste of human life, so largely represented by one class (the colored), is sufficiently accounted for in the following facts: The insanitary condition of a large majority of their homes, the faulty construction of tenement-houses, and the overcrowding of filthy, unventilated abodes. The hard exhausting labor, principally washing and scrubbing, that constitutes the only employment available to the mothers of this poorer class of the population directly induces the mortality of their offspring. In many cases they are driven from the wash-tub and scrubbing-brush to the pains of childbed, from which they are compelled in many instances, even a few days or hours, to arise and resume their exhaustive labor for the support of their children. From this class of population was mainly furnished the 51 cases of atelectasis pulmonum, 61 cases of broncho-pneumonia, 79 of convulsions, 31 of diarrhea, 32 entero-colitis, 119 still-births, and 75 cases of trismus nascentium; all to a great extent the direct result of the insanitary condition surrounding them.

I regret neither time nor space permits more extended reference to the conditions and facts, the primary and direct cause of the several most prominent causes of death indicated, all properly classed, and coming under the head of preventable disease.

Malarial fevers.—The 216 cases of the several types of malarial and zymotic fevers, including 107 cases of scarlet fever, presented in the table is very suggestive of the necessity for careful investigation and study of the sufficiency and effectiveness of our system of drainage and sewerage, particularly in the matter of the construction, capacity, and proper ventilation of sewers. I have in several instances, in investigation of local cause of zymotic disease, been able to trace the cause or source of local infection directly to the faulty construction and location of sewers, traps, and manholes, the latter with perforated lids, permitting the ready escape of sewer-gases.

Scarlet fever and diphtheria.—This intensely infectious type of zymotic disease has prevailed in the cities of Washington and Georgetown, extending beyond the city limits into the rural portions of the District, to an extent that I have never before observed since my residence in Washington, and official relations to the board of health. The same is equally true of diphtheria, not less intensly infectious, and frequently rapidly fatal. In several instances, in my investigations as to the source of infection, I have been able to trace the mode of communication unequivocally to the indiscriminate visiting of relatives, neighbors, and

friends of infected families, attendance upon funeral services, particularly at the houses of the dead, and the attendance of children from infected families upon the public schools. In this conclusion I am corroborated by recently developed facts in our own and other cities, particularly Boston, Mass.

Still-births and bastardy.—Of the 119 still-births recorded in the table, 12 were white and 107 colored—of the latter class (colored) 44 were illegitimate, and 62 buried at public expense. On this subject I cannot better present what I deem it important to say than by quoting from my remarks in my former reports:

No fact presented in the table will more forcibly impress the reader and student of vital statistics than the large number of still-births. For 81 days of 1874 the whole number are 111, of which 13 were still-births. For 1875, of the 694 deaths represented in the report, 80 were still-births; and for the year just closed, of the 1,004 cases referred and investigated, 119 were still-births, 107 of which were colored. Do not the voice of humanity, and the claims of sanitary science, demand some adequate remedy for this waste of infantile life, represented almost entirely from one race (the negro), living under the same laws, breathing the same air of freedom, enjoying the same rights of manhood and citizenship as the white man, by whose side he has struggled for the mastery over the common enemy that antagonizes human life, keeping pace with him in the ratio of natural increase, and in some of the States far exceeding him? Whence, then, is this sudden reversal of the order of things? Why is it that the registrar of vital statistics is compelled to announce in his report the continued decrease of the colored population by deaths over births, while the white population is increasing by births over deaths?

Let us consider the fact, that of the 1,004 deaths 119 were infants in *intra-uterine* life, and next 51 of 1,004 deaths succumbed from either prematurity of birth, imperfect or unhealty development in *intra-uterine* life, or from the unhealthfulness of the atmosphere and surroundings, unfit to sustain an independent life, as is indicated by the deaths from congenital and post-natal atelectasis pulmonum. These, with numerous other facts developed in the tabular statement, go far to suggest both the cause and a remedy for arresting the decrease, by deaths over births, of an integral part of our population, who are entitled to the benefits of all the sanitary precautions and protection. To prevent this unnatural mortality, a thorough and persistent method of medical sanitary inspection is absolutely necessary. To accomplish this great mission and measure of good to humanity and society, the Board of Health of the District of Columbia must be sustained by no less independent authoritative power than that of Congress.

Bastardy.—An important element of the causes tending to this increased mortality is that of bastardy. Of the 176 deaths of illegitimate children represented in the table, 172 are colored, thus showing the relation of cause and effect of a vicious life. The loss to society does not stop with this premature death of the offspring of bastardy, but extends further, and has an important financial as well as social bearing upon the community.

In my annual report for 1874 the following remarks occur, and which I reproduce here as best presenting what I wish to say, as my conclusions from observation and study of this important subject: The large number of illegitimate births is not without hygienic importance, and is properly noticed in this report. The moral and social aspects of the facts recorded ought to, as they doubtless will, receive the attention of the missionary, philanthropic, and Christian teachers. The extent to which this pernicious vice prevails in the District of Columbia is painfully indicated in the table, and calls urgently for the application of some effective remedy. I have often been surprised and pained at the want of appreciation these poor and generally ignorant people exhibit at the enormity of the illicit relations they maintain.

The stolidity that obtains among them in this regard is illustrated in the fact that it is very seldom (if at all) that the unfortunate girl, and confiding women of maturer years, whose confidence and hopes are so often excited by their seducers and copartners in crime, resort to the courts or seek legal redress, yet the burden of their life of toil, suffering, and privation is greatly enhanced, while their consciousness of and aspirations for a better life now and beyond the grave are withered and paralyzed by the dissipations and social debauchery of idleness and vice. From this class come most of the criminals who fill the station-houses at night, and the criminals' dock of the police court every morning, while unfortunate victims of their lust, infants and children, languish in filthy, gloomy hovels without adequate food or raiment. I urgently suggest that if there be a law, either statute or municipal, punishing bastardy, that it be enforced against this moral and physical degradation. Let the grand jury of the District of Columbia call on the registrar of vital statistics for any information that

the records of his office may furnish of parties habitually living in open adultery, often for many years. Nothing else or less than this, I firmly believe, will ever effectually reach and abate this prevailing moral and social evil. Is it not the duty of the courts and the board of health to co-operate in this no less sanitary than moral reform?

Local cause of disease of the 172 referred for investigation of inhabited localities where any of the several types of zymotic diseases has resulted fatally, has, as appears from the tabular statement, occupied a large portion of the time of the medical inspector. A large majority of the premises so inspected were found to be in an insanitary condition, and such local cause or causes existing as are known to produce zymotic disease of the more malignant types. By this class of inspections the deadly lurking enemy is early brought to light, the insanitary condition discovered, whatever be its nature, the corrective remedy suggested and promptly enforced, thus putting in practice, in an important and effective sense, preventive as well as curative measures.

If the proposition be received as true that "it is the highest duty of a state or government to be careful of the health of its people," then is this special service of the board of health indispensable to even an approximation to the consummation of that "high duty." This service is essentially preventive, as well as curative, in its results. The great necessity for careful and thorough medical sanitary inspection of cities and towns was most forcibly presented in a masterly and exhaustive address by Henry I. Bowditch, M. D., of Boston, Mass., delivered before the international medical congress at Philadelphia, September 5, 1876. This address should be in the hands of and carefully studied by every sanitarian in the land. Dr. Bowditch has done an invaluable service to "public hygeine and state preventive medicine," in its highest, broadest, most practical, and beneficent sense.

It is somewhat embarrassing to attempt a report on a subject and service of such comprehensive importance and compress the same within the limits allowable for this report.

Respectfully submitted.

W. D. STEWART, M. D.,
Medical Sanitary Inspector.

P. T. KEENE, M. D.,
Health Officer.

And now we close the history of the year's labor in the executive department under the board of health.

There have been 18,095 nuisances reported and abated; 21,591 pounds of meats and approximately 9,258 bushels of vegetables, fruits, &c., condemned as unfit for food; also 54,461 pounds of fish, 11,400 bushels of oysters, clams, &c.; 592 certificates of cause of death; 456 cases have been recommended for burial at public expense; 261 inspections for local cause of zymotic disease have been made; 2,884 animals have been impounded; 30,373 barrels of night-soil, 6,724 tons of garbage, and 4,509 dead animals, have been removed beyond the limits of the District.

One thousand eight hundred and ninety-eight complaints of citizens have been investigated; 79 cases have been referred for prosecution in police court, 818 official letters have been written on all subjects pertaining to the business of the health office. And for the performance of this great task the smallest possible number of men have been employed. Had there been more hands in the field the harvest would have been greater, and the benefits corresponding. The exhibit demonstrates the possibilities in the power of a few *earnest* men, in whatever direction exerted; and we, who stand now retrospecting, may, perhaps, without appearing unduly vain, congratulate ourselves upon the record shown and the good resultant. Although by no means *infants* in the service, as the grand subject of sanitary science and its applications unfolds to

us its depth and vast extent, as well as its high mission to humanity, we feel as little children digging at the base of a mountain or gathering pebbles on the shore of a limitless ocean. But, could we be assured that our well-intended efforts meet the approval of the board and the people we serve, we should be content to dig on and gather on in the same direction, promising enthusiastic zeal and continued effort for the advancement of the cause which you have so nobly maintained, through good and evil report, as the Board of Health of the District of Columbia.

Very respectfully, your obedient servant,

P. T. KEENE, M. D.,
Health Officer.

T. S. VERDI, M. D.,
President of the Board of Health, District of Columbia.

REPORT ON THE INSANITARY CONDITION OF THE HARBORS OF WASHINGTON AND GEORGETOWN, WITH SUGGESTIONS FOR THE PERMANENT CORRECTION OF THE SAME.

The sanitary committee, to whom was referred the following preamble and resolution:

Whereas the board of health in its third annual report invites attention to the importance, in a sanitary point of view, of improving the river-frontage, stating that "the vast areas now partially submerged, and on receding tides giving out poisonous emanations, generating malaria, should be redeemed at whatever cost and at the earliest possible period. Both the health and prosperity of the District render this measure imperative;" and whereas no practical measures looking to the accomplishment of this object have been established by the board itself or other authorities of the District: Therefore,

Resolved, That this subject be referred to the sanitary committee, with direction that they carefully examine and report, at the earliest practicable day, the facts with regard to the insanitary condition of said river-frontage, making such recommendations with regard to its improvement as may seem to be practicable, and demanded by the welfare of the community—

have the honor to report:

That they have inspected and carefully examined the river nuisance complained of, and find that marshy deposits exist, bounded north by the Chesapeake and Ohio Canal (now abandoned) and south by the channel of the Potomac; that from the Long Bridge, extending eastward, are revealed similar deposits, constituting an almost unbroken and direct line to Geisborough Point; the same condition continuing northward, along the Eastern Branch, as far as Benning's Bridge. These deposits are the result of accumulated *débris* from the percolation of adjacent shores, the gradual accretion of many years.

The waters of the cities of Washington and Georgetown falling gradually from the hills north of us to the Potomac River, it follows that many miles of sewers, the receptacles of all the filth of the metropolis, are directed toward the river, and debouch in the very marshes in question. The quantity of such pernicious material constantly flowing to the river is almost incalculable, but certainly amounts to thousands of tons annually. This putrescent matter enters into these marshes to be stirred by the tides, and imperfectly carried off on account of the im-

mense masses of rank vegetation which obstruct its course. The tidal currents being unable to bear away effectively the sedimentary matters against the power of returning waters, this half-dissolved putrid matter, with the foul additions gathered in its laggard course, is brought back by eddies over these flats only to rankle and ferment at the reflux of every tide, contaminating the surrounding atmosphere far and wide by its offensive and pestiferous effluvia. The character of these deposits is such as to favor the development of a rank vegetation, becoming the receptacle for an endless organic growth subject to incessant putrefaction. This unseen laboratory of life and death affords birth and burial to myriads of plants and animalculæ. The surface of these marshes, covered by water or exposed to the rays of a scorching sun, presents a green carpet covered with confervæ and infusoria. Whatever its condition, whether submerged, or hidden under a luxuriant vegetation, the collections on these areas form a nidus for fermentation and decay which should not escape the attention of the sanitarian. The noxious gases evolved from these deposits are proto-carbonate of hydrogen, carbonic acid, sulphureted hydrogen, and traces of phosphorated hydrogen. Ozone, the great purifier, is never found in the atmosphere of these marshes, and it is supposed that the absence of this powerful agent is due to the fact that it becomes exhausted in oxidizing the products of this extensive theater of decomposition.

The gases alluded to are not, however, the only products of fermentation, which alone would not necessarily and under all circumstances prove fatal to life. But with these are disengaged organic emanations, which are carried to altitudes and distances, as the same are conveyed by the vapors that form simultaneously upon the surface of these marshes; and it is rather to these organic emanations, vegetable or animal, that physicists attribute the toxic principle which develops fever, cholera, dysentery, and the ordinary gastric intestinal maladies.

Dr. Charles B. Russell says: "It is a well-established fact that the essential element in the production of malaria would appear to be vegetable decomposition, and in order that this process shall ensue, the simultaneous operation of air, moisture, and a certain high range of temperature is absolutely required. Of this character are swamps and morasses, alluvial deposits, loose, porous, sandy, and argillaceous soils, or deep, loamy, marshy, lands, and underlaid by impermeable strata, affording capacity for the retention of moisture, regions exposed to periodical and occasional inundation," &c. "The toxic principle," says Michel Levi, "that accompanies this gas escape from the volatilization of vegetable and animal substances, lying in a state of putrefaction in these basins." That "principle" Boussingault found in the air of some American plains and demonstrated its nature to be organic. Bechi has discovered the same in the Maremma of Tuscany; Vauquelin, Dupuytren, and Thenard also bear testimony to the presence of this organic principle, and it is believed that its introduction into the human system causes the development of so-called "malarial" diseases.

The careful investigation of these scientists and the analysis made by them of the constituents of miasm show that they contain from 30 to 35 per cent. of vegetable organic matter. The marshes in our locality contain, besides the deposits of sewers abounding in sulphureted hydrogen, carbonic acid, ammonia, &c. Villermé has demonstrated by statistical researches that children succumb fearfully to the influence of these marshes. Comparing the mortality of children from salubrious districts with that from marshy localities, he gives the proportion of 1,000 of the former to 1,546 of the latter. Michel Levi also states that malaria

causes the death of a great many children, and not only by generating specific maladies, but also by seriously aggravating and often rendering incurable diseases from which recovery under more favorable circumstances might be possible. Diarrhœa, dysentery, and other acute gastro-intestinal maladies are the morbid forms developed in these young beings by this palustral poison. It is even stated by medical authorities that it is with difficulty infants can be preserved in the malarial districts of Africa.

The records of the registrar of vital statistics of our board of health give the following percentage of the mortality from zymotic or preventable diseases:

1875.—958, or 21.90 of total number of deaths.
1876.—930, or 22.01 of total number of deaths.
1877.—918, or 22.02 of total number of deaths.

The unremitting efforts of the board of health in removing all nuisances injurious to health over which it exercises competent jurisdiction has in the last six years greatly reduced the percentage of mortality from zymotic diseases. The abatement of the river-marshes would remove a most prolific source of malaria, and hence your committee does not hesitate to declare that, these grounds reclaimed, properly drained, and filled, the mortality from zymotic diseases in Washington would be reduced to a minimum.

The local malaria affects strangers, viz, unacclimated persons, or persons from more elevated districts, much more sensibly than the denizens of the city. We have many such coming to Washington, the capital of the nation, at all times and seasons. The President, Cabinet officers, Senators and Representatives, the foreign ministers, and a multitude of Army and Navy officers, departmental clerks and their families, are among the temporary residents of the District of Columbia whose health is put in the greatest jeopardy by malaria. The Presidential Mansion is but a few thousand yards from the marshes, and its inmates, as is well known, have to some extent suffered from the agencies alluded to herein. It is for this reason that successive occupants of the White House have sought other homes during the summer season.

These statements are not made on purely theoretical grounds. The testimony of the existence of a poison in atmospheres coming from marshy localities is found in the lands affected thereby in the shape of continued ill-health, broken constitutions, or in monuments marking the spots where the victims have fallen.

Around and within the Roman Campagna, the Maremma of Tuscany, and the Italian *littoral*, sixty thousand such victims annually mark the course, extent, and fatality of malaria.

Precautions in regimen, clothing, habitation, &c., may retard for a time the approach of malarious diseases, but the fight is precarious at best, and possible, for the most part, only with those in affluent circumstances. Hygiene is the only recourse to which the denizens of these unfortunate localities can hopefully look for relief, for the adoption of such preventive measures as will forever render sanitary these nurseries of poison and disease; and the encouragement of sanitary science, operating in this direction, is the solemn and imperative duty of every enlightened government.

Washington has now attained large proportions, having a population of 150,000 inhabitants. Being the capital of our great country, possessing many advantages and extraordinary beauty—the result of the vast system of improvements inaugurated by the late board of public works and pushed forward to completion by the present local government—its

future is full of hope. Under the intelligent administration of progressive sanitary laws and regulations, the improved portions of the city have been greatly benefited, and the mortality from zymotic or preventible diseases largely reduced, comparing favorably with the healthiest districts of the country. At certain seasons, however, the prevalence of such diseases warns us that south of us lies an enemy which at any time may rise and spread a mantle of death over the unsuspecting city.

Heat, moisture, and south winds may unite in generating miasma, from which few could hope to escape. About four hundred acres of these swamps lie on the northern shore of the Potomac, between Georgetown and the Long Bridge, and within a few thousand yards of the windows of the Presidential Mansion, of the Treasury, Navy, War, and Agricultural Departments, and Smithsonian Institution. In this space debouch three sewers; a main at the terminus of Seventeenth street and two laterals at the terminus of Nineteenth street. The foul contents of these sewers are emptied into the marshes, where they are arrested by the thick vegetation growing thereon. These deposits rise and fall with the tide, and, after the water has receded, can be seen boiling and seething over the surface. Add to this the decomposition of the enormous annual vegetation, and a picture of horror is brought to view that would make us doubt the intelligent appreciation of a community or government that can tolerate such a calamity.

Everywhere we hear of governments earnestly engaged in the sanitary rehabilitation of such insalubrious grounds.

Great efforts are being made in Italy in this direction. The government has appropriated many millions for the purpose, the patriotic Garibaldi himself being a conspicuous leader in the noble enterprise. The marshes around Washington can easily be reclaimed; their proportions are not formidable, nor do they offer such insurmountable difficulties as to render the problem doubtful. But they constitute a nuisance of long standing, certain to grow in extent and danger if longer allowed to remain undisturbed. Professor Maury, the eminent astronomist and scientist, when many years ago in charge of the Washington Observatory, was so anxious about the paludal emanations of this flat, lying at the very foot of the hill upon which the observatory is erected, that he caused to be planted many sunflowers (*Helianthus annuus*) on the ground surrounding it, upon the theory that their extraordinary absorbing power would protect his home from the invasion of the deadly malaria.

The conditions alluded to have been a serious subject of complaint by our citizens for years. Congress has been memorialized several times, but has so far limited itself to the ordering of a survey and inviting plans for its abatement. A commission was appointed by the President in 1872, composed of engineers of the Army, the chief of the Coast Survey, engineer of public buildings and grounds, the governor of the District, and several prominent citizens of the same. This commission presented a report, together with maps and plans, and the mode of abatement therein suggested is so well digested as to render whatever the committee may say on the subject well-nigh superfluous.

Your committee is satisfied that the plans thus presented by the commission would be effective in abating the nuisance and become a prolific source of revenue to the District treasury from the sale of lands and wharfage.

In addition to these advantages, the channel of the river would be deepened and greatly improved, thus securing, together with an extended and accessible wharfage, a commerce which would increase the prosperity of the District to an incalculable degree.

The report of this commission, which is hereby submitted and made a part of this report (Mis. Doc. No. 15, Forty-second Congress, third session), contains, moreover, very comprehensive maps, demonstrating the area of lands, the depth of water of lagoons and channel, and complete draughts for the work proposed.

The investigation of the insanitary influence of these marshes is not a new subject to the board of health.

By reference to its second annual report, submitted to Congress in 1873, through the President of the United States, it will be seen that this subject is treated at length, and the abatement of the nuisance recommended and urged in the following words:

Standing on the Long Bridge, the view presented is well calculated to revive the memories of the Campagna near Rome. On all sides are to be seen vast undulations of vegetation, evolving their noxious creations to be inhaled by the citizens of the city. The disorders arising from this source are so pregnant with evil that the most energetic and vigorous steps should be taken for the abatement of the nuisance.

As sanitarians we have no other interest than that of relieving our growing and beautiful city from a source of malaria that tends to depopulate it. We therefore again plead for the health of our people, and pray that the President of the United States, in his forthcoming message, will invite the attention of Congress to the condition of these lands, and that that body will give due consideration to this most important matter, and by appropriate legislation provide some plan by which the evils existing may be permanently corrected.

In the discharge of its duties your committee has invited suggestions and information from leading physicians, engineers, and others familiar with the topography of the river front and the baneful influence resulting therefrom, but regret to add that the only response thus far received has been from that distinguished scientist and official, Quartermaster-General Meigs, which will be found in the appendix.

Respectfully submitted.

T. S. VERDI,
CHRIS. C. COX,
Sanitary Committee.

APPENDIX.

Letter of Quartermaster-General Meigs.

WASHINGTON, D. C., *August* 16, 1877.

I have not carefully studied this subject, but, from what I have observed during my residence in Washington, I am of opinion that the flats which lie above and below the Long Bridge should be diked and filled up, at first dredging a good navigable channel along the water front and using the earth excavated from this channel to raise the margin of the flat, while at the same time, by a temporary railroad track, the high ground of Camp Hill about the Observatory should be spread over the surface, covering the mud of the flats and that excavated from the Washington channel.

The United States Naval Observatory should be removed to the high ground north of the city and thus be lifted above the fogs and malaria which now interfere with astronomical observations by obstructing vision and shattering the nerves of the observers. This improvement would increase the area of the city and improve its health. It would be

a paying improvement whether the land redeemed was laid out and sold for building purposes or planted and used as a park. The whole of the reclaimed lands should be supported by a line of revetment of stone resting on a platform supported on piles.

I am, very respectfully, your obedient servant,

M. C. MEIGS.

T. S. VERDI,
C. C. COX,
Committee.

TABLE 5.

RECAPITULATION BY CLASSES AND ORDERS.

Classes and orders.	1876. First quarter. W. M.	W. F.	C. M.	C. F.	1877. Second quarter. W. M.	W. F.	C. M.	C. F.	Third quarter. W. M.	W. F.	C. M.	C. F.	Fourth quarter. W. M.	W. F.	C. M.	C. F.	Total deaths.
Order 1.—Miasmatic diseases	53	52	31	26	50	41	27	24	59	71	32	31	113	113	103	108	934
Order 2.—Enthetic or inoculate diseases	....	....	1	2	1	1	2	1	1	....	2	....	....	....	2	....	13
Order 3.—Dietic diseases	6	....	3	4	9	6	3	1	....	8	3	7	4	7	5	11	77
Order 4.—Parasitic diseases	....	....	1	1	....	....	1	....	....	....	2	1	....	1	1	....	8
Total Class 1, zymotic diseases	59	52	36	33	60	48	33	26	60	79	39	39	117	121	111	119	1,032
Order 1.—Diathetic diseases	7	14	....	4	5	15	3	3	2	13	2	3	5	7	6	7	96
Order 2.—Tubercular diseases	53	54	47	63	53	58	44	64	57	41	60	78	48	52	55	71	898
Total Class 2, constitutional diseases	60	68	47	67	58	73	47	67	59	54	62	81	53	59	61	78	994
Order 1.—Diseases of nervous system	32	27	36	49	40	30	37	33	42	35	55	35	50	42	45	48	636
Order 2.—Diseases of circulatory system	11	11	6	10	13	12	13	2	12	12	7	5	9	16	5	13	157
Order 3.—Diseases of respiratory system	27	25	34	22	64	40	69	60	24	14	33	27	5	9	6	16	475
Order 4.—Diseases of digestive system	12	5	4	4	10	10	6	6	13	9	8	7	9	18	12	13	146
Order 5.—Diseases of urinary system	8	1	3	....	8	4	4	3	9	4	2	3	7	4	5	4	69
Order 6.—Diseases of generative system	....	2	....	....	1	4	1	1	....	1	....	1	....	2	....	1	14
Order 7.—Locomotory (osseous)	....	1	1	....	1	1	1	1	....	1	1	1	1	....	2	....	12
Order 8.—Locomotory (integumentary)	1	....	....	....	....	....	2	....	....	....	1	....	1	....	....	....	5
Total Class 3, local diseases	91	72	84	85	137	101	133	106	100	76	107	79	82	91	75	95	1,514
Order 1.—Diseases of children	16	8	16	13	12	8	14	10	12	12	8	8	12	9	26	15	199
Order 2.—Diseases of women	....	5	....	3	....	6	....	8	....	3	....	16	....	5	....	6	52
Order 3.—Diseases of old age	7	10	11	16	9	19	7	21	12	6	16	13	10	12	5	14	188
Order 4.—Diseases of nutrition	1	....	1	....	....	3	3	3	5	....	1	1	2	....	2	1	23
Total Class 4, developmental diseases	24	23	28	32	21	36	24	42	29	21	25	38	24	26	33	36	462
Order 1.—Deaths from accidents	9	3	4	3	11	4	3	8	8	3	4	4	16	3	4	2	89
Order 2.—Deaths from infanticide	1	....	....	....	....	....	1	....	....	....	....	....	1	....	....	....	3
Order 3.—Deaths from homicide	....	....	....	....	3	....	....	....	....	....	....	....	....	....	....	....	3
Order 4.—Deaths from suicide	....	2	....	....	1	....	....	....	2	....	....	....	1	....	....	....	6
Total Class 5, violent deaths	10	5	4	3	15	4	4	8	10	3	4	4	18	3	4	2	101
Total deaths from all causes, by sex	244	220	199	220	291	262	241	249	258	233	237	241	294	300	284	330	4,103
Total deaths from all causes, by color	464		419		553		490		491		478		594		614		....
Percentage from all causes, by color, in each period of life to total mortality	11.31		10.21		13.48		11.94		11.97		11.65		14.48		14.96		100
*Rate of deaths per 1,000 per white and colored inhabitants	4.03		9.31		4.80		10.90		4.27		10.62		5.16		13.64		....
Rate of deaths per 1,000 per total inhabitants	2.90		2.62		3.46		3.06		3.06		2.99		3.71		3.84		25.64

Classes and orders.	Age. Total under 5 years. W.	C.	Total above 5 years. W.	C.	Nativity. United States. W. M.	W. F.	C. M.	C. F.	Foreign. W. M.	W. F.	C. M.	C. F.
Order 1.—Miasmatic diseases	334	281	218	101	249	261	493	189	26	16	....	....
Order 2.—Enthetic or inoculate diseases	1	6	2	4	1	1	7	3	1	....	....	....
Order 3.—Dietic diseases	27	36	13	1	15	20	14	23	4	1	....	....
Order 4.—Parasitic diseases	1	7	....	....	....	1	5	2	....	....	....	....
Total Class 1, zymotic diseases	363	330	233	106	265	283	219	217	31	17	....	....
Order 1.—Diathetic diseases	....	4	68	24	13	38	11	17	6	11	....	....
Order 2.—Tubercular diseases	85	138	331	344	147	178	206	276	64	27	....	....
Total Class 2, constitutional diseases	85	142	399	368	160	216	217	293	70	38	....	....
Order 1.—Diseases of nervous system	135	267	163	71	131	111	173	165	33	23	....	....
Order 2.—Diseases of circulatory system	....	....	96	61	29	38	31	30	16	13	....	....
Order 3.—Diseases of respiratory system	80	179	128	88	96	70	142	125	24	18	....	....
Order 4.—Diseases of digestive system	19	21	67	39	32	24	30	30	12	18	....	....
Order 5.—Diseases of urinary system	3	2	42	22	22	11	14	10	10	2	....	....
Order 6.—Diseases of generative system	....	....	10	4	1	6	1	3	....	3	....	....
Order 7.—Locomotory (osseous)	1	5	4	2	2	3	5	2	....	....	....	....
Order 8.—Locomotory (integumentary)	....	....	2	3	1	....	3	....	1	....	....	....
Total Class 3, local diseases	238	474	512	290	314	263	399	365	96	77	....	....
Order 1.—Diseases of children	89	110	....	....	52	37	64	46	....	....	....	....
Order 2.—Diseases of women	....	....	19	33	....	14	....	33	....	5	....	....
Order 3.—Diseases of old age	....	....	85	103	22	30	39	64	16	17	....	....
Order 4.—Diseases of nutrition	....	....	11	12	4	3	7	5	4	....	....	....
Total Class 4, developmental diseases	89	110	115	148	78	84	110	148	20	22	....	....
Order 1.—Deaths from accidents	11	11	46	21	29	10	15	17	15	3	....	....
Order 2.—Deaths from infanticide	2	1	....	....	2	....	1	....	....	....	....	....
Order 3.—Deaths from homicide	....	....	3	....	1	....	....	....	2	....	....	....
Order 4.—Deaths from suicide	....	....	6	....	2	2	....	....	2	....	....	....
Total Class 5, violent deaths	13	12	55	21	34	12	16	17	19	3	....	....
Total deaths from all causes, by sex	788	1,068	1,314	933	851	858	961	1,040	236	157	....	....
Total deaths from all causes, by color	788	1,068	1,314	933	1,709		2,001		393		....	
Percentage from all causes, by color, in each period of life to total mortality	19.20	26.04	32.03	22.73	41.65		48.77		9.58		....	
*Rate of deaths per 1,000 per white and colored inhabitants	6.85	23.73	11.03	20.73	14.86		44.47		3.42		....	
Rate of deaths per 1,000 per total inhabitants	4.92	6.67	8.22	5.83	10.68		12.50		2.46		....	

Classes and orders.	Social relations. Married. W. M.	W. F.	C. M.	C. F.	Single. W. M.	W. F.	C. M.	C. F.	Widow or widowers. W. M.	W. F.	C. M.	C. F.	Unknown. W. M.	W. F.	C. M.	C. F.
Order 1.—Miasmatic diseases	30	21	20	8	232	238	170	166	8	18	3	14	5	....	....	1
Order 2.—Enthetic or inoculate diseases	1	....	1	2	1	1	6	1	....	....	....	....	....	....	....	....
Order 3.—Dietic diseases	5	1	....	....	12	18	14	23	....	2	....	....	2	....	....	....
Order 4.—Parasitic diseases	....	....	....	....	....	1	5	2	....	....	....	....	....	....	....	....
Total Class 1, zymotic diseases	36	22	21	10	245	258	195	192	8	20	3	14	7	....	....	1
Order 1.—Diathetic diseases	16	29	6	4	1	3	5	3	2	17	....	9	....	....	....	1
Order 2.—Tubercular diseases	84	59	53	79	111	102	145	163	12	44	7	34	4	....	1	....
Total Class 2, constitutional diseases	100	88	59	83	112	105	150	166	14	61	7	43	4	....	1	1
Order 1.—Diseases of nervous system	40	23	19	8	106	82	151	140	18	29	2	17	....	....	1	....
Order 2.—Diseases of circulatory system	22	18	20	11	15	12	10	6	6	21	1	13	2	....	....	....
Order 3.—Diseases of respiratory system	35	26	15	8	76	40	122	104	7	21	4	13	2	1	1	....
Order 4.—Diseases of digestive system	21	13	11	9	18	11	18	16	4	16	....	4	1	2	1	1
Order 5.—Diseases of urinary system	18	3	10	4	10	5	4	5	4	5	....	1	....	....	....	....
Order 6.—Diseases of generative system	1	7	1	2	....	1	....	1	....	1	....	....	....	....	....	....
Order 7.—Locomotory (osseous)	....	1	1	....	2	2	2	2	....	....	1	....	....	....	1	....
Order 8.—Locomotory (integumentary)	1	....	....	....	....	....	1	....	1	....	2	....	....	....	....	....
Total Class 3, local diseases	138	91	77	42	227	153	308	274	40	93	10	48	5	3	4	1
Order 1.—Diseases of children	....	....	....	....	52	37	64	46	....	....	....	....	....	....	....	....
Order 2.—Diseases of women	....	19	....	25	....	....	....	8	....	....	....	....	....	....	....	....
Order 3.—Diseases of old age	12	2	23	10	3	5	1	....	21	40	15	54	2	....	....	....
Order 4.—Diseases of nutrition	5	2	3	2	1	1	1	....	2	....	....	2	....	....	3	1
Total Class 4, developmental diseases	17	23	26	37	56	43	66	54	23	40	15	56	2	....	3	1
Order 1.—Deaths from accidents	17	3	4	3	23	7	8	14	4	3	3	....	....	....	....	....
Order 2.—Deaths from infanticide	....	....	....	....	2	....	1	....	....	....	....	....	....	....	....	....
Order 3.—Deaths from homicide	1	....	....	....	2	....	....	....	....	....	....	....	....	....	....	....
Order 4.—Deaths from suicide	3	....	....	....	1	2	....	....	....	....	....	....	....	....	....	....
Total Class 5, violent deaths	21	3	4	3	28	9	9	14	4	3	3	....	....	....	....	....
Total deaths from all causes, by sex	312	227	187	175	668	568	728	700	89	217	38	161	18	3	8	4
Total deaths from all causes, by color	539		362		1,236		1,428		306		199		21		12	
Percentage from all causes, by color, in each period of life to total mortality	13.13		8.83		30.13		34.79		7.46		4.86		.51		.29	
*Rate of deaths per 1,000 per white and colored inhabitants	4.69		8.04		10.76		31.71		2.66		4.44		.18		.27	
Rate of deaths per 1,000 per total inhabitants	3.36		2.26		7.73		8.92		1.92		1.24		.13		.08	

Classes and orders.	Recapitulation. Total by color and sex. W. M.	W. F.	C. M.	C. F.	Total by color. W.	C.	Total by sex. M.	F.	Total deaths.	Percentage to total mortality.	Death rate. Deaths per 1,000 inhabitants. W.	C.	Total.
Order 1.—Miasmatic diseases	275	277	193	189	552	382	468	466	934	22.763	4.800	8.489	5.838
Order 2.—Enthetic or inoculate diseases	2	1	7	3	3	10	9	4	13	.317	.0[illegible]6	.222	.081
Order 3.—Dietic diseases	19	21	14	23	40	37	33	44	77	1.877	.348	.822	.481
Order 4.—Parasitic diseases	....	1	5	2	1	7	5	3	8	.196	.009	.156	.050
Total Class 1, zymotic diseases	296	300	219	217	596	436	515	517	1,032	25.153	5.183	9.689	6.450
Order 1.—Diathetic diseases	19	49	11	17	68	28	30	66	96	2.340	.591	.622	.600
Order 2.—Tubercular diseases	211	205	206	276	416	482	417	481	898	21.887	3.618	10.711	5.612
Total Class 2, constitutional diseases	230	254	217	293	484	510	447	547	994	24.227	4.209	11.333	6.212
Order 1.—Diseases of nervous system	164	134	173	165	298	338	337	299	636	15.501	2.592	7.512	3.975
Order 2.—Diseases of circulatory system	45	51	31	30	96	61	76	81	157	3.826	.835	1.355	.982
Order 3.—Diseases of respiratory system	120	88	142	125	208	267	262	213	475	11.576	1.809	5.933	2.969
Order 4.—Diseases of digestive system	44	42	30	30	86	60	74	72	146	3.558	.748	1.333	.912
Order 5.—Diseases of urinary system	32	13	14	10	45	24	46	23	69	1.683	.391	.533	.431
Order 6.—Diseases of generative system	1	9	1	3	10	4	2	12	14	.342	.087	.089	.087
Order 7.—Locomotory (osseous)	2	3	5	2	5	7	7	5	12	.292	.043	.156	.075
Order 8.—Locomotory (integumentary)	2	....	3	....	2	3	5	....	5	.122	.018	.067	.031
Total Class 3, local diseases	410	340	399	365	750	764	809	705	1,514	36.900	6.523	16.978	9.462
Order 1.—Diseases of children	52	37	64	46	89	110	116	83	199	4.849	.774	2.444	1.244
Order 2.—Diseases of women	....	19	....	33	19	33	....	52	52	1.269	.165	.733	.325
Order 3.—Diseases of old age	38	47	39	64	85	103	77	111	188	4.581	.739	2.289	1.175
Order 4.—Diseases of nutrition	8	3	7	5	11	12	15	8	23	.561	.096	.267	.144
Total Class 4, developmental diseases	98	106	110	148	204	258	208	254	462	11.260	1.774	5.733	2.888
Order 1.—Deaths from accidents	44	13	15	17	57	32	59	30	89	2.168	.494	.711	.557
Order 2.—Deaths from infanticide	2	....	1	....	2	1	3	....	3	.073	.018	.022	.018
Order 3.—Deaths from homicide	3	....	....	....	3	....	3	....	3	.073	.027	....	.018
Order 4.—Deaths from suicide	4	2	....	....	6	....	4	2	6	.146	.052	....	.038
Total Class 5, violent deaths	53	15	16	17	68	33	69	32	101	2.460	.591	.733	.631
Total deaths from all causes, by sex	1,087	1,015	961	1,040	2,102	2,001	2,048	2,055	4,103	100	18.280	44.466	25.643
Total deaths from all causes, by color	2,102		2,001		....	....	....	....	....	....	....	....	....
Percentage from all causes, by color, in each period of life to total mortality	51.23		48.77		....	....	....	....	100	....	....	....	....
*Rate of deaths per 1,000 per white and colored inhabitants	18.28		44.46		....	....	....	....	....	....	....	....	....
Rate of deaths per 1,000 per total inhabitants	13.14		12.50		....	....	....	....	25,643	....	18.280	44.466	25.643

* Estimated population { white....115,000; colored .. 45,000 } total, 160,000.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. 1, Part 8.

REPORT

OF THE

JOINT COMMISSION

CREATED

TO DIRECT AND SUPERVISE THE COMPLETION

OF THE

WASHINGTON MONUMENT.

TRANSMITTED TO CONGRESS WITH THE ANNUAL MESSAGE OF THE PRESIDENT, DECEMBER 3, 1877.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1877.

REPORT OF THE JOINT COMMISSION CREATED TO DIRECT AND SUPERVISE THE COMPLETION OF THE WASHINGTON MONUMENT.

WASHINGTON, D. C., *November* 8, 1877.

To the Senate and House of Representatives:

The commission created by the act of August 2, 1876, to direct and supervise the completion of the Washington Monument beg leave to report:

That, to carry out the provisions of the act, which require an examination to be made "as to the foundation of the monument, in order to thoroughly ascertain whether it is sufficient to sustain the weight of the completed structure," they requested the Secretary of War to detail a board of engineer officers to make such examination and tests; and in accordance with the request a board, consisting of Col. J. D. Kurtz and Generals Duane and Gilmore, was detailed for the purpose.

After a lengthy and careful examination the board reported an insufficiency of foundation and the inadvisability of proceeding thereon with the work of construction. (Report inclosed herewith, marked A, and supplementary report, marked B.)

The board has also submitted a design for strengthening the foundation by confining the stratum of compressible soil. (Inclosure marked C.)

The commission is of the opinion that, in view of the reports made by the board of engineers, it must be assumed that the foundation is insufficient to sustain the weight of the completed structure; also that, while it is feasible to bring the foundation to the required stability, under the wording of the law no authority exists for making this expenditure. The subject is therefore submitted to Congress for further action.

For the further information of Congress, additional papers pertaining to the subject are inclosed, as follows:

D.—Review of report of board of engineers by the Washington National Monument Society.

E.—Letter from John B. Blake, secretary of Washington Monument Society, to the President, reviewing report of board of engineers.

F.—Report of Lieut. D. C. Kingman upon search to find meridian stone.

G.—Design submitted by Fred. D. Stuart for strengthening foundation of Washington Monument.

H.—Plan submitted by C. S. Dutton, civil engineer, for testing compressibility of soil under foundation of monument, with remarks upon the same by Col. J. D. Kurtz, to whom it was submittted by the President.

I.—Plan submitted by John C. Goodridge, jr., president New York Stone Contracting Company, for strengthening foundation of monument.

K.—Letter from William J. McAlpine, consulting engineer, Babylon, Long Island, N. Y., detailing his views regarding settlement of the monument, the character of the earth underlying the foundation, &c.

Very respectfully,

R. B. HAYES,
President United States,
W. W. CORCORAN,
Vice-President Washington National Monument Society,
A. A. HUMPHREYS,
Chief of Engineers, United States Army,
EDWARD CLARK,
Architect Capitol Extension,
JAS. G. HILL,
Supervising Architect Treasury Department,
Commission.

WAR DEPARTMENT,
Washington City, April 10, 1877.

SIR: I have the honor to inform you that the board of engineers appointed to examine the foundation of the Washington Monument, have stated that their report is now completed, and the members would be pleased to present the same to the President, or to confer with the commission appointed under the law, at such time as the President may designate. The members of the board are now in this city.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The PRESIDENT.

A.

REPORT OF THE BOARD OF ENGINEERS ON THE WASHINGTON NATIONAL MONUMENT.

Chairman of the House Select Committee on the Washington Monument to the Chief of Engineers.

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 12, 1873.

GENERAL: The House of Representatives have created a select committee of thirteen to consider the practicability of completing the Washington Monument by the centennial celebration, July 4, 1876. It is desirable to know whether there is any ground for the fears which have been expressed as to the security of the foundations of the monument. The plan, so far as the obelisk is concerned, contemplates a structure nearly 600 feet high. Some years ago an officer of your corps made an examination and report upon this subject—Lieutenant Ives, I believe, was his name—but the committee, thinking that possibly some change may have taken place, do not feel at liberty to accept the report of Lieutenant Ives as conclusive of the question of the security of the foundations without another examination. I, therefore, on behalf of the committee, request that you detail a competent officer to make an examination and report upon this question.

I beg also to request, on behalf of the committee, that you will at the same time cause an estimate to be made of the probable cost of completing the obelisk on the present plan. I send herewith a report made to the House at the last session, which will give considerable information upon the subject, and embraces a full description of the plan. The question as to the cost of completing the pantheon you need not examine, but I would be glad if you would estimate the cost of finishing, in some suitable and plain manner, the base of the monument as it now stands. It is laid of rough stone, and should be encased, I suppose, in some suitable manner, but it need not be expensive.

I have written the secretary of the society, Mr. John Carroll Brent, to place such information in your possession as may be necessary for your investigation.

The House of Representatives have ordered that the subject be considered on the 22d of February.

There is, therefore, a necessity for early examination of this question, and I hope you will be able to make it.

Please answer on receipt of this whether you can do so.

Very truly, yours,

N. P. CHIPMAN,
Chairman of the Select Committee on the Washington Monument.

Maj. Gen. ANDREW A. HUMPHREYS,
Chief Engineer of the Army.

[Extract from Report No. 48, House of Representatives, 42d Congress, 2d session, pages 3 and 4.]

Extract from a report of Lieut. J. C. Ives, Topographical Engineers, dated Washington, August 10, 1859.*

Before the monument was commenced the strength of the material of which the obelisk was to be composed was thoroughly tested. The results are on record in the office of the society. It is known that the marble was found to be able to bear without crushing a pressure more than fifteen times greater than it would be subjected to in any part of its structure. Marble from the same quarry that has hitherto supplied material for the monument can be readily procured in sufficient quantity for the completion of the work, so that no further experiments in regard to this point appear necessary.

A few of the blocks of the lowest courses have slightly chipped at the edges, owing to the joints having been laid rather closely. These courses, however, will be covered by the base.

To those who are aware of the care which was taken in laying the foundation of the monument, both in the selection and preparation of the bed, and in the execution of the masonry-work, it will be scarcely necessary to enter into any statements in regard to its present condition. The test to which it has been already subjected may, however, be mentioned. If raised to the height of 600 feet, the weight of the shaft, together with the foundation, will be a little more than 70,000 tons. The weight of the portion now built is more than 40,000 tons. For five years, therefore, during which the work has been suspended, the foundation

*Lieutenant Ives was at that time treasurer of the Washington National Monument Society, having been authorized by the Secretary of War to hold that position.

A. A. H.

has been bearing about four-sevenths of the pressure that it will ultimately be required to sustain, and, in a recent examination, I was unable to detect any appearance of settling or indication of insecurity.

As the question has been raised, whether the height of 600 feet can be attained without endangering the stability of the obelisk, a computation is herewith subjoined, from which it would appear that, without taking into consideration the adhesion of the mortar, the weight alone of the structure would offer a resistance nearly eight times greater than the overturning effort of the heaviest tempest to which it would probably ever be exposed. The pressure due to the force of the wind is taken at 507 pounds per superficial yard. This pressure, according to Mr. Fresnel, corresponds to a velocity that "exceeds by one-ninth the velocity of the greatest storms mentioned in the annual of the bureau of longitude."

In regard to the oscillations experienced in high towers during violent storms, it is stated by Mr. Fresnel, one of the most eminent French engineers, that "all well-observed facts appear to demonstrate that the oscillations impressed by tempests on masonry towers cannot injure those edifices, if they are properly built, unless they are wanting in stability; that is, unless they could be overturned in mass by the effort of the wind."

The dimensions of the obelisk are: height, 600 feet; breadth at base, 55 feet; at top, 30 feet. The area of one of the faces, 2,833⅓ yards, multiplied by 507 pounds, and this product by the semi-height of the obelisk, will give the moment of the effort of the wind, 430,000,000 pounds.

The average weight of the masonry may be taken at 170 pounds per cubic foot. The well of the monument is 25 feet square, and the weight of the whole shaft 125,800,000 pounds, which multiplied by 26 feet (the edge of rotation being assumed 18 inches within the exterior surface, and the lever-arm of the resistance consequently 18 inches less than the semi-breadth of the base) will give the moment of the resistance, 3,270,800,000 pounds.

True copy from the minutes.

JOHN CARROLL BRENT,
Secretary.

[Indorsement.]

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., February 14, 1873.

Respectfully referred, by authority of the Secretary of War, to O. E. Babcock, Corps of Engineers, who will report at as early a day as practicable, and is authorized to confer with Mr. John Carroll Brent, the secretary of the Washington National Monument Society, for the purpose of obtaining such information as may be in the possession of that society.

By command of Brigadier-General Humphreys, and in his absence.
THOMAS LINCOLN CASEY,
Major of Engineers.

General Babcock to the Chief of Engineers.

OFFICE OF PUBLIC BUILDINGS AND GROUNDS,
Washington, D. C., February 21, 1873.

GENERAL: I have the honor to submit herewith, in reply to the letter of Hon. N. P. Chipman, addressed to you on the 12th instant, and which

letter was referred to me, the following report upon the Washington Monument, made by Lieutenant Marshall, of the Engineer Corps, whom you detailed, at my request, to make the examination of the present unfinished monument desired by Mr. Chipman.

Lieutenant Marshall was instructed, in making his report, to confine himself to a mere statement of the present condition of the structure; and he has made only such recommendations as he would be fully borne out in frrom the examination which he has been able to make in the very short time which has been allowed.

I am, general, your obedient servant,

O. E. BABCOCK,
Major of Engineers, U. S. A.

Gen. A. A. HUMPHREYS,
Chief of Engineers, U. S. A.

Report of Lieutenant Marshall.

WASHINGTON, D. C., *February* 19, 1873.

SIR: I have the honor to submit the following report, in compliance with the letter to the Chief of Engineers, dated February 12, 1873, from Hon. N. P. Chipman, chairman Washington Monument Committee of the House of Representatives, referred to you for report, and requesting information upon the following points in regard to the Washington Monument:

1. Whether any grounds exist for doubting the security of the foundation.

2. The probable cost of completing the obelisk in accordance with the present plans.

3. The probable cost of covering the masonry of the base in a plain and inexpensive manner.

1. In view of the inadequate time allowed (four days) for the examination of the foundation, no borings, excavations, or examinations of the nature of the ground under the foundation could be made.

The archives of the National Monumental Association were searched for the records of the original experiments and investigations bearing upon this point, but no data whatever could be found upon which to predicate an opinion as to the security of the foundation under the great pressure to which it must ultimately be subjected should the monument be completed.

It is, therefore, practicable at present to present only the results of a necessarily hasty and superficial inspection of the monument and its foundation course.

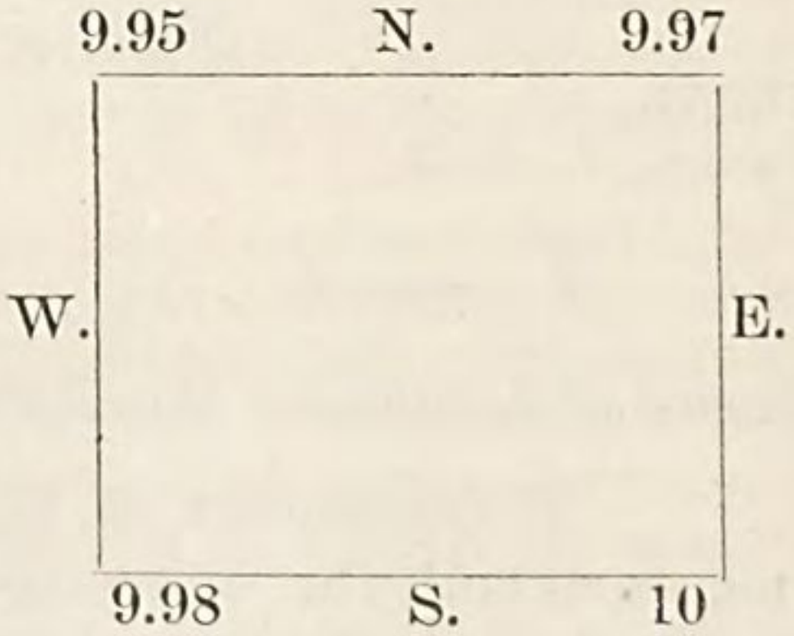
In 1859 an examination was made by Lieut. J. C. Ives, Topographical Engineers, and a report submitted by him, which is in the hands of the committee.

My examination has failed to show any important changes in the condition of the shaft or in the foundation since that time. In addition to the chipping and splintering at the edges of a few of the blocks of the lower courses of the marble casing from flush joining, several blocks have been cracked from the same cause, but not materially impaired thereby.

The masonry of the foundation courses is a rubble of blue gneiss. The blocks are generally large, and the work, for this class of masonry, good; but both the masonry and the stone are objectionable for the foundation courses of such an important and heavy structure. The

stone, being badly selected, is not sufficiently uniform in texture and strength, and the masonry should be of dressed stone, to offer the greatest possible resistance to compression and to distribute the weight most uniformly over the bed of the foundation.

A few of the blocks of the gneiss were found cracked. As these cracks have been taken as an indication of unequal settling, the upper course of the foundation, upon which the obelisk rests, was carefully leveled under my supervision, with the results as shown in the diagram below. The reference of the southeast angle is assumed at 10 feet; the numbers at the angles show the relative level of these points:



Showing a gradual inclination from southeast to northwest, but as the entire variation from the true level is only six-tenths of an inch, and the course was originally, in all probability, leveled with an ordinary mason's level, it cannot be assumed that this shows any unequal settling in the foundation beds. On the contrary, it is much more nearly horizontal than could be expected in such rough masonry.

The weight of that portion of the shaft already completed approximates 58,705,000 pounds, and of the foundation itself 21,565,800 pounds. The bed of the foundation has therefore borne for eighteen years, without signs of weakness or failure, the weight of 80,270,800 pounds, and while there is no apparent reason to believe that it will not bear the additional weight of 67,095,000 pounds yet to be placed upon it, there is only negative proof of its security; and it would therefore be culpable to attempt to complete the obelisk on the present plan until a thorough examination of the nature of subsoil and its capacity to resist compression makes it certain, as far as the human mind can foresee, that the monument will be as enduring as is the material of which it is composed. Fears have been expressed that the material of the lower courses will not stand the superincumbent weight.

The weight of the entire shaft, if reared to the full height of 600 feet, allowing 170 pounds to the cubic foot of masonry, will be 125,800,000 pounds, bearing upon a base of 2,400 square feet. The pressure is therefore about 26 tons per superficial foot, or less than an eleventh of the crushing weight, supposing that the strength of the material does not exceed that of ordinary sandstone for building purposes. Owing, however, to the faulty manner of cutting and laying the blocks of the marble facing of the obelisk, an undue pressure is thrown near the exterior edges of the joints. The chippings and splinterings of the blocks from this cause may become aggravated as the weight of the obelisk increases, thus marring the appearance of the monument.

All questions as to the stability of the shaft itself have been answered by Lieutenant Ives, in whose conclusion I concur.

In reply to an application for a detailed plan of the obelisk, and for other information pertinent to the present question, I received a letter

(herewith inclosed) from the secretary of the Washington National Monument Association, stating that no such plans or details could be found.

The want of time has rendered it impracticable to collect from other sources the necessary data upon which to base an estimate of the cost of completing the shaft.

2. The base of the monument can be encased in marble. If the lower course be covered with earth the marble casing would be founded upon that course, and supposing that the sides or faces are vertical, the approximate cost would be: 240 cubic yards marble facing, at $81, $19,440; 381 cubic yards of masonry filling, at $20, $7,620; marble steps for east and west faces, $35,000. This would have a small offset or landing at the base of the shaft 8 feet 6 inches wide.

By carrying up the marble casing in offsets a slight saving would be effected, which would not exceed the amount of the second item.

This covering, however, would appear like a very insignificant pedestal, and would rather detract from than add to the appearance of the monument.

It would be more suitable to make a simple terrace of earth of proper dimensions, with its upper surface paved or otherwise suitably arranged, presenting the appearance of a massive obelisk shooting vertically from the solid earth. As the details of such a terrace, steps, walks, pavings, &c., are matters which require special study, no estimate will be made as to their cost.

The approximate cost of constructing the terrace itself, supposing it 200 feet square at the top, 17 feet high, and terminated by slopes of two-thirds, is 30,004 cubic yards embankment, at 50 cents, $15,002; 3,065 square yards (slopes) grading, curbing, and sodding, at $1, $3,065; 4,065 square yards (top) grading, sodding, &c., at $1, $4,065; total, $22,132. As the upper surface of the terrace would probably be paved, the additional cost would be the difference between the amount of the third item and the cost of the paving, or from eight to forty thousand dollars, according to the paving used, making the maximum cost of the terrace, exclusive of the steps and approaches, $62,000.

Respectfully submitted.

W. L. MARSHALL,
First Lieutenant of Engineers.

[Indorsement.]

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, February 21, 1873.

Respectfully submitted to the honorable Secretary of War, with report of Maj. O. E. Babcock inclosed.

A. A. HUMPHREYS,
Brig. Gen. and Chief of Engineers.

Secretary of War to House Select Committee on the Washington Monument.

WAR DEPARTMENT, *February* 26, 1873.

The Secretary of War has the honor to reply to the letter of the Select Committee on the Washington Monument, of the House of Representatives, of the 12th instsnt, requesting the Chief of Engineers to detail an officer to make an examination of the foundation of the Washington

Monument and report as to its security; also requesting an estimate of the probable cost of completing the obelisk, and finishing in a plain manner the base of the monument, by transmitting to the House, for the information of said committee, letter of Maj. O. E. Babcock, Corps of Engineers, with its inclosure, report of Lieut. W. L. Marshall, Corps of Engineers, dated the 19th instant, containing the information requested. A letter from John Carroll Brent, esq., secretary of the Monument Association, dated 18th instant, and addressed to Lieutenant Marshall, is herewith submitted, to accompany Lieutenant Marshall's report.

WM. W. BELKNAP,
Secretary of War.

Chairman of House Select Committee of Thirteen on the Washington Monument to the Secretary of War.

HOUSE OF REPRESENTATIVES,
Washington, D. C., January 24, 1874.

DEAR SIR: The House of Representatives has appointed a select committee of thirteen to take into consideration the completion of the "Washington National Monument" by the centennial. Certain information is desired by the committee, which I am instructed to request you to furnish, if practicable, at as early a day as possible. The committee desire that you detail a competent officer of engineers to make certain examinations, and report, first, whether the unfinished shaft of the Washington Monument discloses any grounds for doubting the security of its foundation; second, whether the shaft can be completed, as contemplated by the society, with entire safety; third, the approximate cost of completing the obelisk in accordance with present plans; fourth, the approximate cost and practicability of continuing the unfinished shaft with the interior portion of brick and the exterior cased with marble; fifth, the approximate cost of constructing a terrace at the base of the obelisk, say, 200 feet square at the top, 17 feet high, and terminated by slopes of two thirds, with appropriate steps and approaches, and with the top of the terrace suitably paved; and sixth, whether, with adequate appropriations, the monument could be completed by 4th of July, 1876.

As there is a common apprehension that the foundations are insecure, I hope that the examination will be thorough on this point.

I was informed, while acting as chairman to a similar committee as this at the last Congress, by Mr. Marshall, lieutenant of engineers, that to make this examination entirely satisfactory it would be neces sary to sink a well to the foundations, but that it would be inexpensive and easily done.

I would say, however, that if you have no authority for making any such expenditure, I am informed that the Monument Association would cheerfully defray the expense.

Hoping that we may have your sympathetic co-operation in this effort to complete a monument to the memory of Washington,

I am, your obedient servant,

N. P. CHIPMAN,
Chairman Select Committee of Thirteen, House of Representatives.

Hon. W. W. BELKNAP,
Secretary of War.

[First indorsement.]

Respectfully referred to the Chief of Engineers for report as to whether he has any officer whom he can detail for this purpose.

By order of the Secretary of War.

H. T. CROSBY,
Chief Clerk.

JANUARY 27, 1874.

[Second indorsement.]

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 29, 1874.

Respectfully returned to the Hon. Secretary of War.

Lieutenant Marshall is now in this city, and, with the sanction of the Secretary of War, could be charged with making the investigations required.

There are no funds at the disposal of this department, however, which could be employed for the purposes needed.

A. A. HUMPHREYS,
Brig. Gen. and Chief of Engineers.

Approved by the Secretary of War, February 2, 1874.

H. T. CROSBY,
Chief Clerk.

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*Secretary of War to House of Representatives.**

The Secretary of War has the honor to transmit to the House of Representatives, for the information of the Select Committee on the Washington National Monument, in compliance with letter of the chairman of said committee of 24th January last, the report of First Lieut. W. L. Marshall, Corps of Engineers, as to the security of the foundation of the monument, whether it can be completed in accordance with the present plans with perfect safety, &c.; also map showing the original plan and proposed modifications.

WM. W. BELKNAP,
Secretary of War.

WAR DEPARTMENT, *April* 22, 1874.

Lieutenant Marshall to the Chief of Engineers.

UNITED STATES ENGINEER OFFICE,
Explorations West of the 100*th Meridian, April* 20, 1874.

GENERAL: I have the honor to transmit herewith my report upon the Washington National Monument, with an accompanying drawing, giving, as far as practicable, the information desired by the House Committee of Thirteen, as expressed in the letter of the Hon. N. P. Chipman to the Secretary of War, dated January 24, 1874.

I am, general, very respectfully, your obedient servant,

W. L. MARSHALL,
First Lieutenant of Engineers.

Gen. A. A. HUMPHREYS,
Chief of Engineers, Washington, D. C.

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* This letter and the accompanying report, printed in Report No. 485, House of Reps., 43d Congress, 1st session, pp. 10–19.

[Indorsement.]

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, April 22, 1874.

Respectfully submitted to the Hon. Secretary of War.

This report of Lieut. W. L. Marshall contains the information desired by the Hon. N. P. Chipman, House of Representatives, chairman of the Select Committee of Thirteen on the Washington National Monument, as called for by him in his communication to the Secretary of War of January 24, 1874.

A. A. HUMPHREYS,
Brig. Gen. and Chief of Engineers.

Report of Lieutenant Marshall.

WASHINGTON, D. C., *April* 20, 1874.

GENERAL: I have the honor to submit the following report, giving, as far as practicable, the information regarding the Washington Monument requested by Hon. N. P. Chipman, chairman of the Select Committee of Thirteen (H. R.), in his letter to the Secretary of War, dated January 24, 1874.

In regard to the first inquiry, "Does the unfinished shaft of the Washington Monument disclose any grounds for doubting the security of its foundation?" I have to report that a careful instrumental survey, and a projection of the upper and lower courses of the shaft as it stands, were made to determine the amount, if any, of its deflection from the vertical. The base of the foundation was laid bare and examined throughout the entire length of one side, and excavations made to determine the character of the soil underlying the structure.

This examination resulted in showing that the axis of the shaft is inclined so that its top is deflected $1\frac{4}{10}$ inches to the northwest. In February last the upper of the foundation courses was found by leveling to be depressed $\frac{6}{10}$ of an inch to the northwest, which would indicate a deflection at the top of the axis of that portion of the shaft now completed of about $1\frac{6}{10}$ inches. The near agreement of these measurements in every respect sufficiently attests their accuracy. The foundation courses exhibit a few cracked stones near the base of the shaft. These seem to be directly due to pressure brought to bear upon imperfect bearing surfaces and not to unequal settlement. The depression at the foundation seems, as previously reported, to be perfectly gradual from southeast to northwest, and is as small in amount as could be expected in the case of a heavy structure founded upon ordinary loam, such as underlies this monument. In fact, the course at the base of the foundation, which would first show the effects of local settlement, shows no cracks, separations of joints, &c., but is as solid and the mortar joints as sound as when first laid, showing no evidence whatever of weakness or of unequal strains.

As far as can be discovered in a careful examination of the structure, there are no sufficient grounds for doubting the security of the foundation under its present load.

2d. An answer to the question, "Can the shaft be completed in accordance with present plans with perfect safety?" requires a discussion of the conditions of stability of the shaft itself and of its foundation, together with the probable effects of faulty construction upon the appearance and durability of the shaft.

The structure is designed as a plain obelisk 600 feet in height, 55 feet square at base, 30 feet square at top course, with an interior well 25 feet square for an iron stairway and hoisting apparatus.

That portion now built consists of its foundation masonry of rough blocks of gniess, many of them small, laid in hydraulic mortar—25 feet high, 80 feet square at base, and 59 feet square at top, and a portion of the shaft 170 feet high of marble ashlar facing and rubble backing.

An isolated structure whose altitude is great in comparison with its base, and exposed to the action of storms, is subject to more varying strains and calls for greater precautions in construction than ordinary buildings. Besides their liability to be overturned in mass by the action of the wind, towers are found to oscillate or vibrate during storms like elastic rods fastened at base, and subjected to a deflecting force, causing rapid alternations of pressure upon any part of any given joint, the greatest variations of pressure being at the exterior edges of the joint.

As to what is the greatest pressure of the wind experienced in this latitude and on this continent, there is not data sufficient to determine. Observations have not been taken for a long enough period of time, nor sufficiently multiplied; but that storms of great violence do occasionally occur even inland and at these latitudes is attested by the tornado of 1859, which swept clear the face of the earth in portions of Kentucky and Ohio, and that of May, 1873, which did such damage in Iowa and Illinois. During the past year two storms have been recorded at signal-stations near the Atlantic seaboard where the velocity of wind equaled or exceeded one hundred miles per hour. On the supposition that the pressure of wind is directly proportional to the square of its velocity, or to the living force with which the particles of air impinge upon any object encountered, and that a wind blowing with uniform velocity of 20 feet per second exerts a pressure of one pound avoirdupois upon an area of one square foot, either of these storms caused a pressure exceeding 50 pounds per square foot upon any exposed plane surface. For the want of more satisfactory data, 55 pounds per superficial foot has been assumed as the maximum intensity of pressure of the wind, which value is generally taken by engineers in planning towers, chimneys, and other similar structures. In considering the problem of stability, as applied to the Washington monument, 144 pounds has been assumed as the weight of a cubic foot of its masonry. This value is not far from true, since the structure is mostly of irregular masonry or common rubble, with a large proportion of mortar. The effect of the wind is supposed to be exerted in a horizontal direction upon an area equal to the axial section of the shaft perpendicular to two of the opposite faces, and the joints are assumed as plane, to avoid complicated and useless calculations. The moment of the overturning force will be the entire pressure of the wind upon that portion of the axial section mentioned which is above the given joint, multiplied by the distance of the center of gravity of this area from the plane of the joint.

The moment of stability is the product of the weight of that portion of the shaft above the joint, multiplied by the semi-breadth of the joint, and the absolute stability of the shaft is the quotient of the latter by the former.

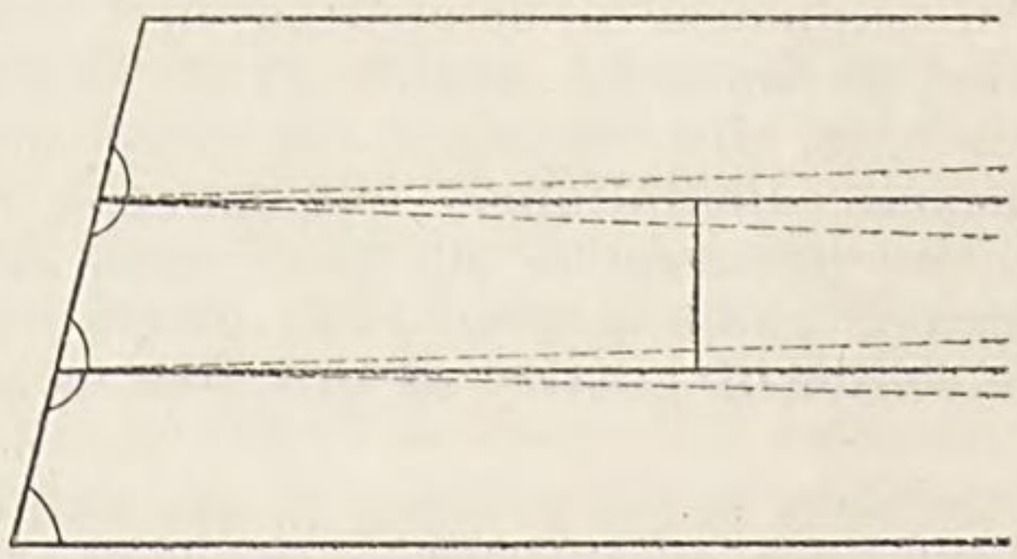
The variations of pressure at the exterior edges of the joint and upon the bed of the foundation have been computed on the supposition that the lateral pressure of the wind brings a uniformly varying pressure upon the area of any plane joint without changing the entire pressure. This variation is evidently the sum of the effects of two causes.

1. From the flexure of the shaft itself the center of gravity is thrown to one side of its neutral position, thus throwing an excess of the weight to that side of the joint.

2. The resultant pressure is shifted from the center of figure of the joint to a distance equal to the quotient of the moment of the overturning effort of the wind divided by the weight of the entire portion of the shaft above the joint in question. The effect of the second of these causes only is given in the table below. The amount of flexure of the shaft, being evidently a function of its elasticity, is indeterminate, and can be found only after actual observation upon the flexure produced by winds of known violence. Its amount depends not only upon the material and dimensions of the shaft, but upon the degree of consolidation of its constituents and its elastic force, regarding it as a homogeneous mass. It is certainly an appreciable quantity, for such towers are observed to vibrate through considerable arcs. In the appendix to this report is given the deduction of the formulæ from which the results embodied in the following table were computed:

Distance of joint from top.	Cubic contents.	Weight (144 pounds per cubic foot).	Pressure in tons per square foot.			Y_1	Stability.	Remarks.
			Least.	Mean.	Greatest.			
Feet.	*Feet.*	*Pounds.*				*Feet.*		The marble of which the facing of the shaft is built was tested by a commission, of which General Totten and Professor Henry were members, and its crushing strength found to be 576 tons per square foot.
100	42, 527. 5	6, 123, 960	4. 72	5. 64	6. 56	1. 47	11. 6	
200	109, 625. 6	15, 786, 086. 4	6. 98	9. 43	11. 88	2. 28	8. 4	
300	209, 620	30, 185, 280	9. 50	13. 21	16. 92	2. 78	7. 64	
400	346, 951	49, 957, 987. 2	11. 57	16. 09	21. 03	3. 144	7. 42	
430	395, 261. 1	56, 917, 598. 4	.....	17. 04	.....	.....	.....	
500	522, 268	75, 206, 659. 2	13. 95	19. 19	24. 95	3. 378	7. 52	
600	740, 000	106, 560, 000	15. 1	22. 2	29. 3	3. 560	7. 72	

From which we find that the stability of the shaft at its joint of least stability is 7.4 greater than necessary to insure safety, which result compares favorably with the estimated stability of other similar structures. An examination of the shaft itself shows one very serious defect of construction. The marble facing has been faultily executed, the beds having been dressed to accurate bearing surfaces for a few inches back from the face, and beveled or cut away to the rear in this manner.



The full lines representing properly-cut joints, and the dotted lines the joints as they are actually found. An excessive pressure is thus thrown upon the exterior edges of each joint, the effects of which are already visible, at nearly every one of the lower joints of the unfinished shaft, in the chipping and fracturing of the blocks. The completion of the shaft will aggravate this evil with serious injury to the marble facing.

The chipping has probably been increased by the greater settling of the interior rubble-filling, laid in thick mortar-beds, throwing greater pressure upon the blocks of the exterior marble facing. Now, however, that portion of the shaft already built may be regarded as a monolith, as its material is well consolidated from the setting of the mortar, and this second cause of injury has probably produced its full effect; but the effects of rapid alternations of pressure, amounting in extreme cases to over fourteen tons per superficial foot, upon joints so faultily constructed, must be more or less destructive.

STABILITY OF THE FOUNDATION.

Excavations and examinations show that the foundation is placed eight feet below the surface of the ground upon ordinary loam or a mixture of clay and fine sand. Below this the proportion of sand was found to increase until a depth of 22 feet, or 14 feet below the bottom of the foundation, was attained, when a compact bed of gravel, cemented by a ferruginous clay, was found, which is inclined under such a small angle that it may be regarded as sensibly horizontal. The difficulty in boring in such material, and the presence of water making the sinking of an ordinary well more expensive than the means at my disposal would allow, no examination as to the thickness of this stratum of gravel or hard-pan was made. Sufficient is known, however, from wells dug in the monument lot to justify the assertion that there is no reason for apprehending that the earth is not firm for a sufficient depth to afford a good foundation for the heaviest of structures, provided sufficient spread be given to the foundation and proper measures be taken to insure a uniform distribution of pressure.

Clay and ordinary earth, such as immediately underlies the structure under consideration, when subjected to great pressure, act more or less like incompressible and inelastic fluids—yield to pressure by a lateral motion of the particles. This tendency to motion is resisted both by the coherence between the different particles of the mass or by the tenacity of the earth and by friction between the various particles, but in considering a mass of earth friction is the only force which can be relied upon for permanent stability.

The vertical pressure of the shaft causes a tendency to spread laterally, which is resisted by the weight of the earth above the foundation bed and by friction, which latter is a function of the natural angle of repose of the earth in question.

Professor Rankine, one of the highest authorities upon the "mechanics of engineering," in discussing the stability of earth foundations, gives the following formula:

Let p = the greatest pressure per square foot, consistent with stability, which can be borne by the foundation.

x = the depth of the foundation (8 feet).

w = the weight of a cubic foot of the earth (120 pounds).

Φ = the natural slope of the earth (40° for loam).

Then will $p = w\ x \left(\frac{1 + \sin \Phi}{1 - \sin \Phi}\right)^2 =$ 20,305.9 pounds, or on purely theoretical grounds, the greatest pressure which the earth at the foundation of the Washington Monument can bear without being forced out laterally = 20,305.9 pounds per superficial foot.

The mean pressure at its base, supposing the entire weight uniformly distributed, equals 18,595 pounds per square foot. During storms it may be subjected at the edges to a pressure of 22,990 pounds per square foot.

If the shaft be completed, then, the stability of its foundation, under the most favorable circumstances, *i. e.*, when the air is at rest, will be only $1\frac{1}{10}$.

Its stability is considerably increased beyond this by the tenacity of the earth, but to what extent cannot well be estimated.

If the only pressure were a vertical one, uniformly distributed over the base of the foundation, no reason can be seen for fearing instability, but if we consider that the foundation courses are of rough blocks, laid directly upon ordinary earth, of indifferent bond and imperfect bearing surfaces, with a considerable proportion of mortar, and consequently not of great transverse strength, and subject to considerable alternations of pressure, there does not seem to be a great margin of safety. In fact, the pressure at the base of the foundation on earth will equal or exceed what is usually allowed by engineers as a safe load for brick.

The spread of the foundation is such that in violent storms there will be an excess of pressure on one side of the foundation over that on the other of nearly five tons per superficial foot, or the variations of pressures will be greater than the entire pressure upon any earth foundation I can find recorded. What the effects of such strains will be, under the circumstances, cannot be foreseen, but there is danger that varying and excessive pressures upon inelastic earth may, in time, produce permanent yielding of the foundation bed, with attendant evil effects.

It seems inadvisable to complete the Washington Monument to the full height of 600 feet—

1st. Because the facing has been so executed that the greatly increased pressure which may be brought upon it will, in all probability, deface the shaft and affect its durability.

2d. The area covered by its foundation is too small for a structure of the proposed dimensions and weight, causing an excessive pressure upon a soil not wholly incompressible.

3d. *Approximate cost.*—All drawings, plans, and specifications of the shaft as originally designed have been lost, and the Monument Association have no plans whatever concerning it.

Supposing that it is to be built of marble facing averaging two feet in depth and of stones of not less size than one-half cubic yard, with a backing of large blocks of gneiss, well scappled, and laid in hydraulic mortar, with an iron stairway 5 feet wide, divided into sixty straight flights of 10 feet rise each, and an equal number of horizontal platforms, each 5 feet wide and 25 feet long; the apex or roof to be of wrought-iron beams, rafters and tie-rods, and cast-iron plates, all perfectly plain and substantial work, the approximate cost will be—

59,682.6 cubic feet marble facing, at $3.10	$185,016 06
12,428.8 cubic yards rubble backing, at $18	223,718 40
Stairway and platforms	36,300 00
Cast-iron apex	3,600 00
Total	448,634 46

4th. If we allow $17 per thousand for good hard brick and $10 per thousand for expense of laying, including hoisting, scaffolding, &c., and 574 bricks per cubic yard, the second item above will be reduced $2.60 per cubic yard, making the total cost of completing the shaft $416,319.58 if brick backing be used.

The pressure at the base of that portion of the shaft still to be built will, however, be in excess of that to which this material should be subjected; while the slight difference in cost and its less weight are not sufficient to counterbalance its many and obvious defects as compared with large blocks of stone, when used in the construction of such a high tower (430 feet), since the tendency of brick-work to crack and separate

at the joints, and the influence of its finely subdivided joints upon the stability and durability of the structure increase rapidly with the height of the masonry and the pressure brought to bear upon it.

The upper 200 or 250 feet of the shaft might be built advantageously of brick, and especially when the walls become thin, when from motives of economy it will not be advisable to continue the marble masonry entirely through the walls, or when the pressure is so far reduced that this material will possess sufficient strength to withstand it with certainty.

MODIFICATIONS PROPOSED.

It is respectfully suggested that if the monument be completed, it be built to a height not exceeding 400 feet above the top of the foundation courses; that the thickness of the walls above the portion now built be reduced from 11.46 to 7.3 feet, and in order further to reduce the pressure upon its foundation, that the filling be of hard brick, bonded at intervals of 30 feet, if considered necessary, by through courses of stone; that the apex or roof of the structure, instead of a cloistered arch of stone, be of cast-iron plates and wrought-iron beams and rods.

These modifications will reduce the additional pressure from 57,000,000 pounds to 22,000,000 pounds, or about one-third the entire weight of the obelisk as originally proposed. The additional pressure upon the foundation will be $1\frac{8}{10}$ tons per superficial foot instead of $4\frac{1}{2}$ tons.

The stability of the shaft at this joint will not be reduced, and the structure will be of more elegant proportions when its height is seven times, instead of eleven times, its base.

The dimensions of the shaft, if so modified, will be 55 feet square at base, $38\frac{33}{100}$ feet square at top, and $437\frac{8}{10}$ feet from apex to base of foundation.

Herewith is inclosed a rough sketch, drawn to a scale of one inch to twenty feet, showing the relations between the shaft as originally designed, the portion now built, and the shaft as proposed above, with a plan for a terrace at its base 200 feet square at top, 17 feet high, terminated by slopes of two-thirds; with grass plots and paved walks, and ascended on the east and west sides by plain stone steps 24 feet wide.

The approximate cost of completing the shaft to 400 feet and the terrace at its base is—

38,749.9 cubic feet marble facing, at $3.25		$125,937 17
5,013 cubic yards brick-work, at $16		80,208 00
30,004 cubic yards embankment, at 40 cents		12,001 60
* 4,136 square yards flagging, at $7.29		29,779 20
* 3,896 linear feet curbing, at $3.25		12,672 00
2,847 square yards sodding and soiling, at 85 cents		2,419 95
250.4 cubic yards backing for steps, at $11		2,754 40
1,478.4 cubic feet cut-stone steps and coping, at $4		5,913 60
Iron roof and stairway		39,000 00
Total		310,685 92
For obelisk	$245,145 17	
For terrace	65,540 75	
		310,685 92

* The flagging and curbing is estimated at the highest probable cost. The former can be done at prices varying from $2.70 to $7.20 per square yard, and the latter from $1.00 to $3.25 per linear foot. The estimate above is for flagging and curbing similar to that on Pennsylvania avenue in front of the Treasury building.

6th. It is estimated that it will take 537 working days to complete the shaft to 400 feet.

Respectfully submitted.

W. L. MARSHALL,
First Lieutenant of Engineers.

Brig. Gen. A. A. HUMPHREYS,
Chief of Engineers, U. S. A., Washington, D. C.

APPENDIX.

1st. *To find the stability and joint of least stability of a hollow frustum of a pyramid, the joints being assumed as a plane, and the building subjected to the pressure of the wind:*

Let a = diameter at the top of frustum;
Let e = diameter of interior well;
Let n = twice the tangent of the angle made by the faces with the vertical;
Let w = weight of one cubic foot of the masonry;
Let s = greatest pressure of wind per superficial foot;
Let x = distance of any joint from the top;
Then $a + nx$ = the diameter or side of this joint.

If the faces of the frustum are but slighly inclined to the vertical, we may assume the pressure of the wind to be exerted in a horizontal direction, upon an area equal to the axial section of the frustum, perpendicular to two opposite faces.

Its overturning effort will then be the entire pressure of the wind multiplied by the distance of the center of gravity of the section above the joint X.

The area of the axial section $= x\,\dfrac{2a + nx}{2}$

The pressure of the wind upon this area $= sx\,\dfrac{2a + nx}{2}$

The distance of the center of gravity of the axial section above the joint X, is

$$\tfrac{1}{3}\cdot\frac{3a + nx}{2a + nx}\cdot x$$

The moment of the overthrowing effort of the wind is then

$$= \frac{sx^2\,(3a + nx)}{6} \quad . \quad . \quad . \quad . \quad . \quad (a)$$

The weight of the frustum $= wx\,[(a^2 + anx - e^2) + \tfrac{1}{3}n^2x^2]$ . . . . (b)

If Y_1 denote the distance from the axis of the shaft to the line with reference to which the moments of the overturning effort of the wind and of the weight of the frustum are equal, or, in other words, to the "line of resistance," we shall have

$$s\,x^2\,\frac{(3a + nx)}{6} = w\,x\,[(a^2 + anx - e^2) + \tfrac{1}{3}n^2x^2 \mid Y_1$$

or

$$Y_1 = \frac{s\,x\,(3\,a + nx)}{6\,w\,[(a^2 + anx - e^2) + \tfrac{1}{3}n^2x^2]} \quad . \quad . \quad . \quad . \quad (1)$$

For the equation of the line of resistance, or for the distance the center of pressure upon any given point will be shifted from its mean position by the action of the wind.

The stability of the shaft will be the quotient of Y_1 by the semi-width of the joint, or

$$S = \frac{2\,Y_1}{a + nx}$$

or, substituting in Eq. (1)

$$S = \tfrac{1}{3} \cdot \frac{sx\,(3a + nx)}{[w\,(a^2 + anx - e^2) + \tfrac{1}{3}n^2x^2]\,(a + nx)} \quad . \quad . \quad . \quad (2)$$

Differentiating this equation, we may find the value of x corresponding to a minimum value of S, and locate the joint of least stability. This, however, would necessitate the solution of a cumbersome equation of a higher degree than the second. I have preferred to solve Eq. (2) for different values of x, assuming for the Washington monument,

$a = 30$ feet,
$n = .04166$,
$s = 55$ pounds,
$w = 144$ pounds,
$e = 25$ feet,

With results as given in the text.

2d. To find the effect of the pressure of the wind in increasing the stress upon the courses of masonry on the sides opposite the face exposed.

The pressure of the wind being exerted normal to the exposed face, increases the pressure upon the base of the shaft; but since the inclination of the face to the vertical is slight, this increased pressure over a unit of service of any horizontal joint will be so small that it may be disregarded, and we may assume, without sensible error, that the force of the wind is exerted in a horizontal direction upon an area equal to the axial section of the obelisk perpendicular to two of the opposite faces. In this case the effect of the force will be to leave the entire pressure upon the base of the shaft unchanged, affecting only the distribution of stress by shifting the center of pressure from the center of figure of the base to a distance from the center given by the value of Y_1 in Eq. (1) above.

The pressure upon the base of the shaft, or upon any horizontal joint, will, instead of being the same for each unit of surface, now be uniformly varied, the pressure at the center of figure of the base remaining the same.

To find the increase of pressure at any point—

Let p_1 = mean pressure per square foot $= \frac{W}{A}$,
W = weight of entire structure above given joint,
A = area of this point,
p' = pressure at any point at distance y from the neutral axis,
r = rate of variation in pressure as we recede from the neutral axis,

then,

$$p' = p_1 + ry. \quad . \quad . \quad . \quad . \quad . \quad (c)$$

The elementary moment of p' with reference to the neutral axis through the center of figure of the joint is—

$$p'\,y\,dy\,dz$$

and the moment of the entire stress

$$Y_1 W = \int\int p' y dz\, dy$$

$$Y_1 = \frac{\int\int p' y\, dz\, dy}{W}$$

in which Y_1 is the co-ordinate of the center of pressure.

Substituting the value of p', Eq. (*c*), we have

$$Y_1 = \frac{1}{W}\int\int p_1 y\, dz\, dy + \frac{r}{W}\int\int y^2\, dz\, dy.$$

The first term of the equation is evidently the co-ordinate of the center of gravity of the surface pressed, and equal to zero, since it is at the origin of co-ordinates, and we have

$$Y_1 = \frac{r}{W}\int\int y^2\, dz\, dy$$

but $ff\, y^2\, dz\, dy$ is the moment of inertia of the surface pressed with reference to the neutral axis through the center of figure. Integrating the above expression between the proper limits for a hollow rectangle, whose external and internal dimensions are, respectively, b and e, we have

$$Y_1 = \frac{r}{W}\,\frac{(b^4 - e^4)}{12}$$

hence

$$r = \frac{12W\ Y_1}{b^4 - e^4} \quad . \quad . \quad . \quad . \quad . \quad (3)$$

and

$$p' = p_1 + \frac{12W\ Y_1}{b^4 - e^4} y \quad . \quad . \quad . \quad . \quad (4)$$

Which equation will give the pressure at any given point of the shaft during a storm, after substituting for W the weight of that portion of the shaft above the joint in which the point $x\ y$ is situated; for S, the area of this joint; for Y_1, the value given by Eq. (1) for any assumed pressure per superficial unit exerted by the wind; and for b, its value $a + nx$.

W. L. MARSHALL,
First Lieutenant of Engineers.

Chairman of House Select Committee on the Washington Monument to the Secretary of War.

HOUSE OF REPRESENTATIVES,
Washington, D. C., June 26, 1874.

DEAR SIR: You will remember that, upon the request of the Select Committee on the Washington Monument, Lieutenant Marshall was detailed to make examination into the foundations of the monument. He made a report that to the majority of the committee is entirely sat-

isfactory; but upon one point, to wit, *the security of the foundations to sustain the weight of the shaft completed to the height proposed by him*, the committee did not feel that he was sufficiently definite; and, although he recommended the completion to a certain height, it was urged by some of the committee that he nowhere definitely stated that it could be done with entire safety. You will appreciate the feeling of the committee in hesitating to urge the completion of the monument until this question is placed beyond doubt. I am satisfied now, but others are not, and some have asserted that Mr. Marshall has given an adverse opinion. In a vote to suspend the rules to add an item to one of the appropriation bills to complete the monument, only five votes were wanting for a two-thirds majority. This, and the general feeling of Congress, leads me to believe that at the next session a sufficient appropriation can be made to complete the monument, provided this one question can be settled, and that it may be I beg you to have the Chief of Engineers give Mr. Marshall's report his personal examination, and to report through you to me his conclusions. I would also thank you to cause Mr. Marshall to state more clearly his view on this point. If further examination is necessary, the Monument Society will defray the expense.

Very truly, yours,

N. P. CHIPMAN,
Chairman Select Committee.

Hon. W. W. BELKNAP,
Secretary of War.

[First indorsement.]

I take considerable interest in this matter, and would like to have the views of the Chief of Engineers, and a further examination of the matter, and report by Lieutenant Marshall, if the Chief of Engineers deems it necessary.

WM. W. BELKNAP,
Secretary of War.

JUNE 29, 1874.

[Second indorsement.]

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, July 1, 1874.

Respectfully referred to Lieut. William L. Marshall, Corps of Engineers, for report. Attention is invited to the letter of Hon. N. P. Chipman, and the special points for report noted in that communication.

By command of Brigadier-General Humphreys.

THOS. LINCOLN CASEY,
Major of Engineers.

[Third indorsement.]

WASHINGTON, D. C., *July* 6, 1874.

Respectfully returned to the Chief of Engineers.

Further examination of the foundation of the Washington Monument seems to me unnecessary. As stated in the report, it is founded upon a clay bank 22 feet thick, underlaid with hard pan, upon which latter the foundation courses should have been laid.

It is my opinion, justified by the fact that the earth foundation will be stable, theoretically, under the pressure to which it will be subjected,

which stability will still further be increased by the conjugate pressure due the mass of earth or terrace still to be placed at the base of the shaft, that it can be built to the height of 400 feet with safety.

This is simply an individual opinion, and it is perhaps well to remark that the pressure will still be about twice as great as the maximum usually considered proper for such foundations.

W. L. MARSHALL,
First Lieutenant of Engineers.

[Fourth indorsement.]

OFFICE OF THE CHIEF OF ENGINEERS.
Washington, July 6, 1874.

Respectfully referred to the Board of Engineers for Fortifications, with request that the board will consider the reports of Lieutenant Marshall, and express an opinion concerning the results obtained and the inferences from those results.

By command of Brigadier-General Humphreys.

THOS. LINCOLN CASEY,
Major of Engineers.

[Fifth indorsement.]

BOARD OF ENGINEERS FOR FORTIFICATIONS,
New York, August 13, 1874.

Respectfully returned to the Chief of Engineers, with report of board of August 7, 1874.

H. G. WRIGHT,
Lt. Col. of Engineers and Bvt. Maj. Gen.

Report of Board of Engineers for Fortifications (Generals Barnard, Tower, and Wright.)

OFFICE BOARD OF ENGINEERS FOR FORTIFICATIONS,
Army Building, New York, August 7, 1874.

GENERAL: The Board of Engineers for Fortifications, in compliance with your instructions of 6th of July, have considered the papers referred to them regarding the security of the foundations of the Washington Monument, and have the honor to submit the following remarks upon the subject:

From Lieutenant Marshall's published report it appears that the earth upon which the masonry foundation of the Washington Monument rests is already subjected to a pressure of $4\frac{8}{10}$ tons per' square foot of surface, and that under this pressure there has been settlement, indicated not only by an inclination of the shaft, but by a corresponding inclination of the upper plane of the masonry foundation. Whether this has been attended by much vertical settlement, we have no means of determining, nor can it be ascertained if subsidence has ceased, except by continued observations through intervals of time. Raising the shaft to a height of 400 feet in conformity with the proposed plan will add $1\frac{8}{10}$ tons weight to each square foot of earth's surface now bearing a load of $4\frac{8}{10}$ tons, thus increasing that pressure by a weight of $\frac{3}{8}$ of itself. It is reasonable to infer that some subsidence will ensue from so large an increase.

There is lack of accepted data on this important subject of the weight-bearing capacity of soils. Mr. W. J. McAlpine, in preparing plans for the foundation of the State capitol at Albany, undertook to gather from all sources the facts bearing on the case. Though he states that he failed to obtain satisfactory data, the following facts may be useful, and are here stated :

A chimney 200 feet high, built by Stevenson, at Newcastle-on-Tyne, loaded the earth with 4 tons per square foot. It settled badly and canted to one side. He subsequently built another 250 feet high, loading the soil with only 1½ tons. No settlement.

Mr. Cubitt built a water-works engine chimney on the London clay 100 feet high, and loaded it with 2 tons per square foot. It has not settled.

The St. Rollax tower, Glasgow, 448 feet high, rests on hard gravel, and the earth bears a weight of 4 tons.

A heavy viaduct, built by Stevenson, of which the foundation was gravel, did not settle with a load of 2½ tons.

The high chimney of the Edinburgh gas-works (350 feet), weighing 4,000 tons, rested on a foundation of 40′ square = 2½ American tons per square foot. The soil was "till," that is, a deposit of sand, gravel, and clay.

Dr. Spring's church tower, New York, 200 feet high, loads the hard pan with 7 tons, but is supposed to have settled.

Trinity church spire, New York, settled badly when the sand foundation was loaded with 5 tons, and was taken down and rebuilt with a larger foundation. It now gives a pressure of 3½ tons. The soil is coarse sand with a slight mixture of clay.

Bunker Hill Monument, on hard sand and gravel, loads the soil with 5½ tons per square foot.

The walls of the rotunda of the Capitol at Washington give a pressure of but 3,450 pounds.

Girard College is said to bear with a pressure of 13,440 pounds on the soil ; but this soil, according to the architect, Mr. Walter, is an even stratum of *gravel.*

The last is the highest pressure of which we have authentic information, except the East River bridge piers, which, on an exceedingly compact bed of bowlders imbedded in hard-pan, press with about the same effort. Hence these cases furnish no precedents for the Washington Monument.

Mr. McAlpine represents the soil under the new State house at Albany, New York, as being clay with about 25 per cent. of sand, and to yield under a pressure of 5 tons.

The result of our investigations is that 5 tons is an excessive pressure for soils composed of clay and sand. We could not, therefore, with the information before us, recommend that any *additional* pressure should be thrown on the site of the Washington Monument.

It is in place here to make a remark concerning the formula Lieutenant Marshall (p. 14) has quoted from Rankine, from which he derives 20,305 pounds " as the greatest pressure which the earth at the foundation of the Washington Monument can bear", &c. This formula, founded on the mathematical theory of pressures and strains in solid bodies, is purely theoretical, and seems not to have (in this connection at least) been tested by experiment or qualified by a coefficient of safety. Rankine, in his "Rules and Tables," gives, for " load on ordinary foundations :" of " firm earth ; hard clay ; clean dry gravel ; clean sharp sand

prevented from spreading sideways," *one to one and a half* tons per square foot.

We have made no allusion to the increased pressures on the foundations produced by wind. The consideration of them might give increased weight to our reasons against additional loading; but they are momentary in direction, while experience shows that even on overloaded soils protracted time is necessary to produce sensible effects.

The papers referred to the board in connection with this subject are herewith returned.

Respectfully submitted.

J. G. BARNARD,
Col. and Bvt. Maj. Gen'l.
Z. B. TOWER,
Col. of Eng'rs, Bvt. Maj. Gen'l.
H. G. WRIGHT,
Lt Col. of Eng'rs, Bvt. Maj. Gen'l.

Brig. Gen'l A. A. HUMPHREYS,
Chief of Engineers, U. S. A., Washington, D. C.

[Indorsement.]

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., October 3, 1874.

Respectfully returned to the War Department with copy of report of the Board of Engineers for Fortifications, upon the stability of the foundations of the Washington Monument, in which I concur. I would recommend, however, that further and more extensive borings be made about the foundations to verify the thickness and extent of the yielding substratum, and that means be taken to obtain from architects of decided artistic tastes, designs for finishing off the present shaft by some suitable terminal, and possibly by additions at the angles of the column.

A. A. HUMPHREYS,
Brigadier General and Chief of Engineers.

[Indorsement.]

The views of the Chief of Engineers are concurred in by the Secretary of War.

H. T. CROSBY,
Chief Clerk.

OCTOBER 7, 1874.

The Secretary of War to honorable Mr. Chipman.

WASHINGTON CITY, *December* 7, 1874.

SIR: I have the honor to transmit herewith, copy of report of Lieut. W. L. Marshall, and of the Board of Engineers for Fortifications, in reference to the security of the foundation of the Washington Monument, together with correspondence relative to same.

Very respectfully, your obedient servant,

WM. W. BELKNAP,
Secretary of War.

Hon. N. P. CHIPMAN,
House of Representatives.

AN ACT providing for the completion of the Washington Monument.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of two hundred thousand dollars, payable in four equal annual installments, to continue the construction of the Washington Monument in the city of Washington: *Provided*, That before any portion of said sum shall be expended, the proper officers of the Washington National Monument Society, incorporated by the act approved February twenty-sixth, eighteen hundred and fifty-nine, entitled "An act to incorporate the Washington National Monument Society," shall transfer and convey to the United States in due form all the property, easements, rights, and privileges, whether in possession, or in action, or in expectancy, beloging to the said corporation, to the uses and for the purposes set forth in said act of incorporation; and the said charter is so amended as to authorize the executive officers of said corporation to make said transfer and conveyance in consideration of the sum herein appropriated: *Provided*, That nothing herein shall be so construed as to prohibit said society from continuing its organization for the purpose of soliciting and collecting money and material from the States, associations, and the people, in aid of the completion of the monument, and acting in an advisory and co-operative capacity with the commismission hereinafter named until the completion and dedication of the same. And the construction of said monument shall be under the direction and supervision of the President of the United States, the Supervising Architect of the Treasury Department, the Architect of the Capitol, the Chief of Engineers of the United States Army, and the first vice-president of the Washington National Monument Society, which officers are hereby constituted a joint commission for that purpose, and in accordance with the laws regulating contracts and the construction of public buildings by the Treasury Department; and detailed reports of such expenditures shall be annully submitted to Congress.

SEC. 2. That prior to commencing any work on said monument an examination shall be made as to the foundation of the monument, in order to thoroughly ascertain whether it is sufficient to sustain the weight of the completed structure, and if the same shall be found insufficient, then the further continuance of the work shall not be authorized by anything herein contained, until the further action of Congress.

Approved August 2, 1876.

Colonel Kurtz to the Joint Commission on the Washington Monument.

WASHINGTON, D. C., *April* 10, 1877.

GENTLEMEN: I transmit herewith the report of the Board of Officers of Engineers, constituted by paragraph one of Special Orders No. 196, on the foundations of the Washington Monument, and the following accompanying papers, viz:

Report of Lieut. Dan. C. Kingman, December 29, 1876.

Letter of Lieut. Dan. C. Kingman, December 29, 1876.

The four openings made by the board on the four sides of the monument have been left unfilled, in case the commission wish to have access to the underlying ground. They shall be refilled as soon as convenient

with sandy material, carefully compacted into their sides, especially toward the monument.

I have the honor to be, very respectfully, your obedient servant,

J. D. KURTZ,
Lieut. Col. of Engineers, Bvt. Col. U. S. Army,
Senior Member of the Board.

To the JOINT COMMISSION
On the construction of the Washington
National Monument, Washington, D. C.

Report of Board of Engineers (Colonel Kurtz and Generals Duane and Gillmore).

WASHINGTON, D. C., *April* 10, 1877.

GENTLEMEN: The undersigned, constituting a Board of Officers of the Corps of Engineers, appointed by paragraph 1 of Special Orders No. 196, Headquarters of the Army, Adjutant-General's Office, Washington, September 21, 1876, "to examine and report upon the question of the stability of the foundation" of the Washington Monument, having performed the duty imposed upon them, have the honor to submit below the results of their examination.

The order appointing the board reads as follows:

[Special Orders No. 196.]

HEADQUARTERS OF THE ARMY, ADJUTANT-GENERAL'S OFFICE,
Washington, September 21, 1876.

[*Extract.*]

1. By direction of the Secretary of War, and at the request of the commission constituted by an act entitled "An act providing for the completion of the Washington Monument," approved August 2, 1876, a Board of Officers of the Corps of Engineers, to consist of Lieut. Col. John D. Kurtz, Lieut. Col. James C. Duane, Lieut. Col. Q. A. Gillmore, is appointed to meet in this city as early as practicable to examine and report as to the foundation of the monument, as contemplated by section 2 of the act cited.

The board will make its report in writing to the commission.

* * * * * * * *

By command of General Sherman.

E. D. TOWNSEND,
Adjutant General.

Section 2 of the act referred to provides—

That prior to commencing any work on said monument, an examination shall be made as to the foundation of the monument, in order to thoroughly ascertain whether it is sufficient to sustain the weight of the completed structure, and if the same shall be found insufficient, then the further continuance of the work shall not be authorized by anything herein contained until the further action of Congress.

The original design of the Washington Monument, omitting the massive circular colonnade building at its base, which was to have been 250 feet in diameter and 100 feet high, is that of a plain obelisk 600 feet high, 55 feet square at the base, and 30 feet square at the top, with an interior well 25 feet square for a stairway.

The shaft, which has been built to a height of 170 feet above the foundation, or 187 feet above the surface of the site, is composed of rubble masonry, with an ashlar facing of white, or nearly white, marble, very closely jointed on the exterior. As a consequence of this faulty method of construction, which necessarily implies the use of a

much greater proportion of mortar in the hearting and backing of the wall than in the thin joints in close proximity to the face, there has been unequal shrinkage and settlement in the masonry of the shaft itself, by which excessive weight has been brought upon the exterior edges of the ashlar blocks near the base of the structure. A number of these blocks have yielded under the great pressure, and are broken in two transversely, while many more are badly chipped and spalled off along the horizontal joints, exhibiting manifest evidence of bad workmanship, and presenting an unsightly and discreditable appearance. The crushing strength of this marble, as determined by General Totten and Professor Henry, is 576 tons per square foot, and 50 tons per square foot would be a perfectly safe load for it in well-built masonry. The average weight at the levels where the worst fractures have taken place in the ashlar work, assuming the vertical pressure to be uniformly distributed over the entire horizontal section of the masonry, as it would have been if properly laid, does not exceed nine to ten tons per square foot. A process of construction must be very bad which leads to the destruction of a stone, in positions where, with proper care, only one-sixtieth of its strength, as ascertained by careful tests, ought to be brought upon it.

It is understood to be the present intention of your commission to restrict the height of the shaft to 400 feet above the foundation, making it only two-thirds the height of the original design, in the event of work being resumed with a view to its completion.

The shaft rests upon a foundation of rubble masonry of inferior quality, built of gneiss rock, roughly laid up in moderately hydraulic mortar, in courses of about three feet rise, the stones of each course being of random dimensions, with a preponderance of rather large sizes. They are roughly split to approximately rectangular faces, so far as could be judged by the portion exposed to view, the deficiencies being supplied during the process of construction by a liberal use of mortar with thinner stones or fragments embedded therein.

This foundation is 80 feet square at the bottom course, 59 feet square at the top, and about 25 feet in height, the lower course having been laid at a depth of 8 feet below the surface of the ground. It therefore projects above the plane of the site about 17 feet.

Instrumental measurements and calculations carefully made by Second Lieut. Dan. C. Kingman, United States Corps of Engineers, who was detailed to the board by the Chief of Engineers for that purpose, show that the shaft now leans slightly toward the north, the departure of the axis from a vertical line through the center of the base being one and nine-hundredths ($1\frac{9}{100}$) inches at the top of the structure. The foundation courses have a little more than the corresponding dip in the same direction, the discrepancy, if we assume, as we doubtless correctly may, that the foundation courses were originally horizontal, being fully accounted for on the supposition that the movement began during the early stages of construction, and that while the building was going on vertically on the top of the shaft, the lower portions were taking the inclination caused by the unequal subsidence of the foundation. If this be so, a vertical north and south section of the shaft, through the axis, would have a correspondingly curved outline, convex on the north side and concave on the south.

It was also ascertained from a bench-mark established November 7, 1848, by Mr. Robert Mills, architect, who was at that time in charge of the construction of the work, that the monument had settled bodily eight and eighty-two hundredths ($8\frac{82}{100}$) inches at the northwest angle.

Lieutenant Kingman's report is transmitted herewith.

The board has caused four borings to be made, one on each side of the monument, and near its base, in order to determine the character of the underlying strata, and, as nearly as possible, their weight-bearing capacity.

These borings show quite conclusively that the structure rests upon a compressible bed composed of fine sand and clay, not less than 11 to 12 feet in depth, overlying a stratum of gravel and sand, containing less clay, which changes gradually at a depth of 15 to 16 feet below the foundation into a mixture of clay, sand, gravel, pebbles and bowlders.

The borings on the west, north, and east sides were pushed to a depth of 16½ feet, and that on the south side to a depth of nearly 28 feet, below the level of the bottom of the foundation, while in the boring last named an auger has with difficulty been forced down 8 feet farther into the underlying bed of gravel and cobble-stones.

It may be assumed that at and below this depth the weight of the monument will be so widely distributed that the material, whatever it may be, will be loaded by the completed structure so far within the limits of dangerous compressibility, that the consideration of the question of stability may be safely restricted to an examination of the compressible sand and clay which immediately underlie the foundation. If the latter should be found to possess insufficient firmness to sustain the additional load involved in a completion of the monument, the resumption of work upon it would not be justified by the results of any examination at greater depths, however satisfactory they might be in themselves.

In order that a soil composed of sand and fine clay like that upon which the monument rests shall be as nearly incompressible under a given weight as the sand constituent when taken by itself (that being the least compressible ingredient in the mixture,) it should contain no more clay than will just suffice to fill the voids in the sand when the latter shall have been cleaned and compacted under an equal weight. Under these conditions the particles of sand are in contact with each other. Any increase of the proportion of clay beyond the volume of voids in the sand would separate these particles from each other, and interpose between them a more compressible medium.

Tested by this rule, the yielding nature of the twelve-foot stratum which underlies the monument and the four-foot bed of coarser material below have been satisfactorily ascertained by the examination to which the specimens taken out at various depths from the several borings have been subjected.

The wells were made four feet in interior diameter and were lined with plank, the intention being to maintain this size until the bed of bowlders, supposed to exist at a depth of 30 to 40 feet below the surface, was penetrated and passed, and then to continue below this level with an eight-inch iron pipe, should it be deemed necessary or desirable to ascertain the character of the materials at greater depths.

Water was found at a depth of about 21 feet below the surface, or 13 feet below the level of the foundation, and all the specimens brought up from points above the level of the water were in large lumps or fragments, which were taken to represent the actual condition of the material *in situ*.

The bed of clay and sand, throughout its entire thickness between the water-level and the base of the structure, was found to be highly charged with water, which is doubtless supplied in great part from below and permanently held in the soil by capillary attraction. The quantity of water is sufficient, even at the higher levels, to render the mixture quite soft and plastic when gently worked and kneaded by hand.

The samples taken from below the water-level were badly washed, and the proportion of clay was greatly reduced thereby. Hence no deductions of value can be drawn from them.

The specimens were carefully examined with special reference to a determination of the proportions by volume of the sand and clay and the volume of voids in the sand. The results are given below.

WEST SIDE OF MONUMENT.

Two feet below level of foundation.

100 volumes of soil contain
32 volumes of sand, of which 8 volumes are voids.

68 = volumes of clay in excess of voids in the sand.

Seven feet below level of foundation.

100 volumes of soil contain
49 volumes of sand, of which 12.74 volumes are voids.

51 = volumes of clay in excess of voids in the sand.

Twelve feet below level of foundation.

100 volumes of soil contain
68.5 volumes of sand, of which 15.8 volumes are voids.

31.5 = volumes of clay in excess of voids in the sand.

Fourteen feet below level of foundation (under water.)

100 volumes of soil contain
80.25 volumes of sand, of which 18 volumes are voids.

19.75 = volumes of clay in excess of voids in the sand.

EAST SIDE.

Two feet below level of foundation.

100 volumes of soil contain
31.5 volumes of sand, of which 9.26 volumes are voids.

68.5 = volumes of clay in excess of voids in the sand.

Seven feet below level of foundation.

100 volumes of soil contain
54.8 volumes of sand, of which 16 volumes are voids.

45.2 = volumes of clay in excess of voids in the sand.

Fifteen feet below level of foundation (under water.)

100 volumes of soil contain
81.5 volumes of sand, of which 19.2 volumes are voids.

18.5 = volumes of clay in excess of voids in the sand.

Sixteen feet below level of foundation (under water.)

100 volumes of soil contain
89 volumes of sand, of which 18.63 volumes are voids.

11 = volumes of clay in excess of voids in the sand.

NORTH SIDE.

Two feet below level of foundation.

100 volumes of soil contain
30 volumes of sand, of which 9 volumes are voids.

70 = volumes of clay in excess of voids in the sand.

Seven feet below level of foundation.

100 volumes of soil contain
54 volumes of sand, of which 14.6 volumes are voids.

46 = volumes of clay in excess of voids in the sand.

Twelve feet below level of foundation.

100 volumes of soil contain
56.2 volumes of sand, of which 14.4 volumes are voids.

43.8 = volumes of clay in excess of voids in the sand.

Fourteen feet below level of foundation (under water.)

100 volumes of soil contain
83 volumes of sand, of which 17 volumes are voids.

17 = volumes of clay in excess of voids in the sand.

Sixteen feet below level of foundation (under water.)

100 volumes of soil contain
95 volumes of sand, of which 17 volumes are voids.

5 = volumes of clay in excess of voids in the sand.

SOUTH SIDE.

Two feet below level of foundation.

100 volumes of soil contain
39 volumes of sand, of which 10.2 volumes are voids.

61 = volumes of clay in excess of voids in the sand.

Seven feet below level of foundation.

100 volumes of soil contain
53.2 volumes of sand, of which 14.2 volumes are voids.

46.7 = volumes of clay in excess of voids in the sand.

Twelve feet below level of foundation.

100 volumes of soil contain
66.2 volumes of sand, of which 17.6 volumes are voids.

33.8 = volumes of clay in excess of voids in the sand.

Sixteen feet below level of foundation (under water.)

100 volumes of soil contain
86.7 volumes of sand, of which 18.3 volumes are voids.

13.3 = volumes of clay in excess of voids in the sand.

It will be observed that the proportion of sand increases with the depth, although not regularly or uniformly; also that the rate of increase is not the same in the several borings. In every portion of the bed examined, however, down to a depth of 16 feet below the foundation level, there is an excess of clay, and at some points a very large excess.

Even the water-washed samples taken from the lower depths are no exceptions to this rule, although deprived of a portion of the clay in the process of excavation. It may be that lower down, that is, beyond a depth of 16 feet below the foundation, the gravel, pebbles, and cobblestones exist in sufficiently large proportion to render the material practically incompressible.

A few experiments were made to ascertain the compressibility of soil taken out in large lumps at depths varying from $3\frac{1}{2}$ to 6 feet below the level of the bottom of the foundation, and 8 feet distant therefrom horizontally.

These lumps were cut and trimmed to the shape of prisms, measuring exactly 6 inches square in cross-section and 10 inches in length. From the time the soil was first taken out of the ground to the moment when it was tested, a period of twelve days, it was kept enveloped in moist wrappers to preserve its natural dampness and general condition.

A box was made of two-inch oak plank, into which the earth prism exactly fitted as to cross-section, but the box was 12 inches in length, or 2 inches longer than the earth prism. To secure a uniform bearing of the latter, a cast-iron plate, 6 inches square and 1 inch thick, was placed in the box to serve as a bottom plate for the prism to rest upon after it had been placed on the movable table or beam of the hydrostatic press.

On top of the earth prism, inside the box, another iron plate was placed, exactly like the bottom plate, the upper surface of this plate being flush with the upper edge of the oaken box. Two strong wrought-iron hoops, of $2\frac{1}{2} + \frac{1}{2}$ inch bar-iron, were then slipped over the box, and made to close the joints and to hold the parts of the box firmly and rigidly together by driving numerous oaken wedges between the hoops and the sides of the box. One of the hoops was placed near the bottom, the other near the top.

The box with its contents was then carefully adjusted in regard to position, so as to cause the earth prism to receive the pressure as centrally as possible. The pumping was then commenced.

Three earth prisms had been prepared out of the samples of soil received, and were numbered 1, 2, and 3.

No. 1 was obtained from a sample taken from a depth of from $11\frac{1}{2}$ to $12\frac{1}{2}$ feet below the surface.

No. 2 from a sample 12 to 13 feet below the surface.

No. 3 from a sample 13 to 14 feet below the surface.

In carrying on the experiments it was noticed that with the increase of pressure the compression was not generally reached at once, but took some little time to settle down to the line of compression. When, after waiting a reasonable time, usually from two and a half to three minutes,

no further compression could be discovered, the pressure was again increased.

It is remarkable that in every case water first began to show outside of the frame with a pressure of about 28 tons per square foot. With more or less increased pressure liquid mud or loam was gradually forced out through the small interstices between the box and the top and bottom plates, and through the joint of the box itself. When this mud appeared in quantities that would seemingly vitiate the results to be obtained by carrying on the work, pumping was stopped and the prism removed from the press and examined.

Every prism on being released from final pressure rebounded somewhat, recovering from one-fourth to one-half an inch of the length lost by compression.

These tests by pressures of short duration, upon blocks firmly and rigidly supported at the sides, do not of course represent the conditions which obtained in the soil underneath the monument.

The amount of vertical compression obtained with a weight of 2,500 pounds on the block, equivalent to 5 tons per square foot, represents, as might have been expected, a smaller ratio of movement than that which has taken place at the base of the monument itself under an equal weight, the latter being the joint result of both compressibility and lateral displacement, through a period of many years, in a bed of the same material twelve feet thick.

The following table contains the results obtained with prism No. 1, that being the one first tested. As the others were taken from near the sames pot, and gave substantially the same general results, it is not deemed necessary to insert them here.

Sample No. 1, taken from 3½ to 4½ feet below the level of the foundation, and 8 feet distant laterally.

	Pressure.		Compression.		Remarks.
	On sample in pounds.	Per square foot in tons of 2,000 pounds.	Actually observed.	Percentage of length.	
		Tons.	*Inches.*		
1	500	1	.....	.....	No perceptible compression.
2	1,000	2	1/16	0.625	
3	1,500	3	7/64	1.094	
4	2,000	4	5/32	1.250	
5	2,500	5	25/64	1.563	
6	3,000	6	3/16	1.875	
7	3,500	7	7/32	2.190	
8	4,000	8	1/4	2.500	
9	5,000	10	5/16	3.125	
10	6,000	12	23/64	3.600	
11	7,000	14	1/2	5.000	
12	8,000	16	25/64	6.250	
13	9,000	18	23/32	7.190	
14	10,000	20	13/16	8.125	
15	11,000	22	15/16	9.380	
16	12,000	24	1 1/16	10.625	
17	13,000	26	1 3/16	11.190	
18	14,000	28	1 1/8	13.750	Fluid clay oozing out.
19	15,000	30	1 1/8	16.250	So much clay was forced out that pumping was stopped.

At the termination of these trials the sample had therefore been reduced, by compression, from 10 inches in length to $8\frac{3}{8}$ inches. On being released from pressure, however, it rebounded somewhat, attaining a length of $8\frac{3}{4}$ inches, which it retained.

There appears to be a great dearth of trustworthy information with respect to the pressure exerted by existing structures in Europe and elsewhere, upon the soil beneath their foundations, which has occasioned no little confusion of ideas among those who have attempted to furnish statistics on the subject. Figures representing the pressure *on* the foundation are, it is believed, often mistaken for the pressure exerted *by* the foundation, while in point of fact the two expressions do not mean the same thing, and are not in any sense interchangeable. A weight of 20 tons per square foot *on* a foundation may be so distributed by the breadth of the foundation, that a pressure of only a small fraction of 20 tons will be exerted *by* the foundation upon the soil beneath.

Below we are given the pressures per square foot upon the foundations of the new dome of the United States Capitol, of Girard College, Philadelphia, and of several European domes, taken from a report made by Capt. William B. Franklin, Topographical Engineers, to Hon. J. D. Bright, chairman of the Senate Committee of Public Buildings and Grounds, dated February 29, 1860:

New dome on United States Capitol, pounds per square foot	13,477
Girard College, Philadelphia, pounds per square foot	13,440
St. Peter's, Rome, pounds per square foot	33,330
St. Paul's, London, pounds per square foot	39,450
St. Genevieve, Paris, pounds per square foot	60,000
Toussaint, Angers, pounds per square foot	90,000

It is further a matter of record, which may, it is thought, be accepted as correct, that the basilica of St. Paul's church, London, bears upon its foundation with a weight of 42,950 pounds per square foot, the dome of the Invalides, Paris, with a weight of 31,800 pounds, and that of the Pantheon, Paris, with a weight of 43,440 pounds.

The following table gives the pressures in tons of 2,000 pounds exerted by the foundations of several structures upon the underlying earth, including that of the Washington Monument in its present condition, and also on the supposition that the shaft has been carried up, with somewhat thinner walls, to a height of 400 feet above the foundation, as recommended by Lieut. W. L. Marshall, Corps of Engineers, in his report of April 20, 1874, contained in Report No. 485, House of Representatives, first session of Forty-third Congress.

	Name and locality of structure.	Pressure of foundation per square foot on soil beneath.	Remarks.
		Tons.	
1	Washington Monument, as it now stands.....	5	Estimating the masonry at 148⅓ pounds to the cubic foot.
2	Same, with shaft 400 feet high	6 8/10	
3	Chimney, 200 feet high, built at Newcastle-on-Tyne, by Robert Stephenson, on hard peculiar clay.	4	Settled badly and canted to one side.
4	Chimney, 250 feet high, at same place, by same builder.	1½	No settlement.
5	Chimney, 100 feet high, built by Cubitt, on London clay.	2	Has not settled.
6	St. Rollox chimney, Glasgow, 450 feet high, resting on sandstone rock (built by Andrew Thomson).	2	Rankine's Civil Engineering.
7	A viaduct, built by one of the Stevensons, upon a gravel foundation.	2½	Did not settle.
8	Trinity church spire, New York City, on coarse sand with a slight mixture of clay (as first built)	5	Settled badly and was taken down.
9	Same, as rebuilt	3½	Has not settled.
10	Tower of brick church (Dr. Spring's), corner of Fifth avenue and West Thirty-seventh street, New York, resting on hard-pan.	7	Is supposed to have settled.
11	Bunker Hill Monument, on hard sand and gravel	5½	Has not settled.
12	Brooklyn anchorage of the East River bridge, New York, resting on fine sand, loam, and gravel.	4	Do.
13	New State capitol, at Albany, N. Y., founded on blue clay, containing about 25 per cent. of sand and a little loam.	2	Do.

It will be seen that not one of the structures mentioned in the foregoing table as having been founded on clay, or a mixture of sand and clay, in which the latter preponderates, gives a weight upon the soil exceeding four tons per square foot, except the Washington Monument, which, even in its present condition, exerts a pressure of five tons per square foot. This is believed to be slightly below its actual weight, as it has been deduced by assuming only 148⅓ pounds per cubic foot as the weight of the masonry of the shaft. Masonry of this description usually weighs rather above than below 150 pounds to the cubic foot.

The clay may be said to be in excess in a sandy and clayey soil, considered with respect to its fitness for supporting a heavy building, when its volume greatly exceeds the volume of voids in the sand, or, which amounts to the same thing, when the volume of sand alone falls greatly short of the volume of the raw material *in situ*.

In connection with the erection of the new State capitol at Albany, N. Y., Hon. William J. McAlpine, civil engineer, states that before determining a plan for the work, experiments were made under his direction, with considerable care, to establish the supporting power of the particular soil—clay, containing about 25 per cent. of sand, and in some places a little loam—which showed substantially that under the weight imposed, up to two tons per square foot, no perceptible displacement resulted, and at about five tons the surrounding soil was forced up. In one place the experiment was made in a pit sunk 3 feet below the surface, and in another in one sunk 6 feet.

Mr. McAlpine found, as the result of his inquiries, that it was customary to load soils like that encountered at Albany, with from one to five tons per square foot, and mentions a case where Robert Stephenson,

in building a bridge, attempted to load the clay underneath the piers with five tons per square foot, when the structure began to sink, and he was obliged to transfer a portion of the load to the adjacent earth.

A writer, evidently an engineer or architect of intelligence, in the Builder (1872), says:

> In regard to the pressure of foundations in solid London clay, which possesses, perhaps, a greater amount of uniformity of bearing-power than any other soil ordinarily met with, it is on record that the greatest engineers of the present day have varied no less than from one to eight tons per square foot in the pressure which they allowed to be placed on the foundations of structures of the highest importance on London clay. In general, however, it may be stated that this soil will compress to a considerable extent, although with a tolerable uniformity, under greater pressures than six tons; and *about four tons per square foot* is recommended in practice as a safe pressure on stiff clay.

Greater loads may be placed upon deep foundations than on shallow ones in the same soil, not only for the reason that the soil has already been more compacted by the superincumbent weight of earth, but because of the greater resistance to lateral displacement encountered at the lower levels, and an instance is given where the pier cylinders of the bridge over the Thames, at Charing Cross, which are sunk deep in the London clay, exert a pressure of eight tons to the square foot, a weight to which the same soil could not safely be exposed at a less depth below the surface.

The board respectfully submits its opinions in few words, as follows:

1. That the stratum of sand and clay upon which the monument rests is already loaded to the limit of prudence, if not, indeed, to the limit of safety, and that it does not offer sufficient resistance to compression to justify the completion of the shaft in accordance with the modified design, or any other design that will load the underlying soil beyond 10,000 pounds per square foot.

2. That additional weight imposed at the top of the structure would in all probability cause additional and possibly extensive spalling and splitting in the ashlar facing near the base.

3. It is evident that the masonry foundation was not given spread enough to carry safely the weight it was designed to place upon it. If sufficient spread and depth had been originally provided, the full height of the structure might have been placed upon it, and the weight distributed over a larger area so as to be within the limits of security.

4. There has been actual compression of the soil to the extent of between eight and nine inches, the shaft is sensibly out of plumb, and the foundation courses show increasing departure from horizontality. These imperfections may be expected to increase as additions are made to the weight of the structure, if not to a dangerous degree, at least to an extent that will make the monument very unsuited to the purpose for which it was designed. If it were a tower, or shaft, or chimney, intended for manufacturing or industrial uses, such defects might be overlooked and useful results still expected from it.

But this structure is to be an exposition to the world of the estimate which is placed upon Washington by his countrymen. It is a great, bare obelisk, plain to severity, a conception perhaps most suitable to symbolize the great character it would commemorate, but for these very reasons exacting in all its parts, and particularly in its foundations, all the perfection of elements and details that can be given to its material and workmanship. The stones which compose the foundation should be strong and perfect, truly shaped, and accurately placed together. There should be no yielding of the parts and no disturbance of the levels.

Upon such a foundation, a monument could be reared fit to commemorate Washington, and worthy of the nation of whose foundations he was the chief master-builder.

We have the honor to be, very respectfully, your obedient servants,

J. D. KURTZ,
Lieut. Col. of Eng'rs, Brevet Col.
J. C. DUANE,
Lieut. Col. of Eng'rs, Brevet Brig. Gen.
Q. A. GILLMORE,
Lieut. Col. of Eng'rs, Brevet Maj. Gen.

To the JOINT COMMISSION *on the Construction of the Washington National Monument, Washington, D. C.*

Report of Lieutenant Kingman.

WILLETS POINT, NEW YORK HARBOR,
December 29, 1876.

SIR: I have the honor to submit the following results of certain measurements made by me upon the Washington Monument to ascertain the amount and nature of the settlement that it had undergone. Appended is a copy of record of a line run in the year 1848 by Mr. Mills, giving the height of a certain point upon the foundation of the monument above a bench-mark therein described.

The bench-mark was found apparently undisturbed, and the line re-run December 4, 1876. The point on the foundation is now eight inches and eighty-two one-hundredths inches (8.82) lower than it was in 1848. The monument must, therefore, have settled this amount in a period of twenty-eight years. I found by triangulation that the structure inclined toward the north one and nine-hundredths inches at the top.

The upper surfaces of the lower courses of marble have a dip toward the north which would give to the monument an inclination in the same direction of one and eighty-two hundredths inches (1.82) at the top. Assuming that these planes were originally constructed perpendicular to the axis, this would seem to show beyond a doubt that there has been unequal settlement; and the fact that the axis is proportionally less inclined than the planes of the joints is explained by the supposition that this settlement was taking place while the structure was in the process of construction, and was to some extent counteracted as it was carried up.

In conclusion I would venture to say that, so far as this unequal settlement is concerned, I see no reason why the foundation may not safely be relied upon to sustain indefinitely a weight not greatly exceeding that now resting upon it.

Very respectfully, your obedient servant,

DAN. C. KINGMAN,
Second Lieutenant, Corps of Engineers.

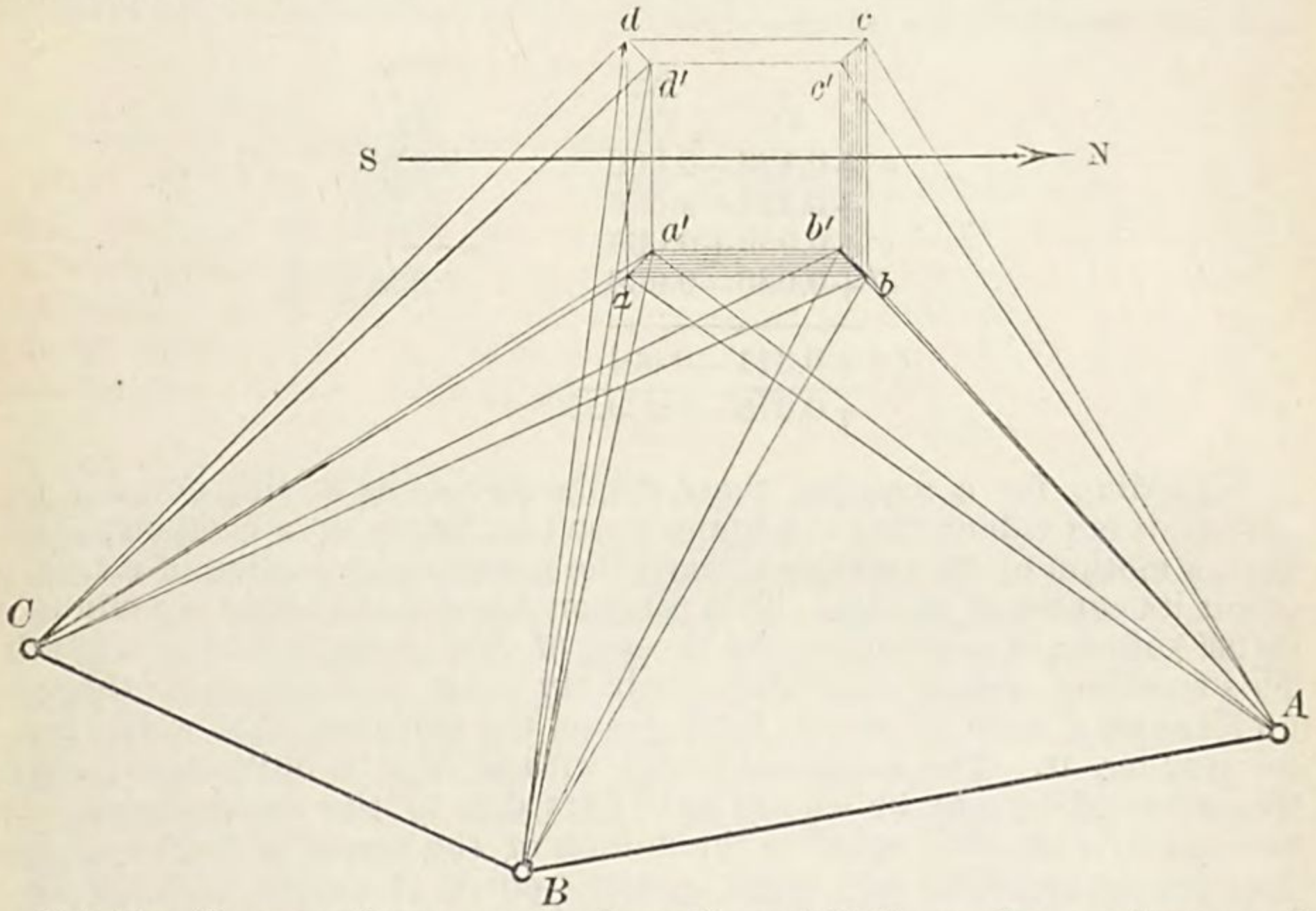
Lieut. Col. Q. A. GILLMORE,
Corps of Engineers, Brevet Maj. Gen., U. S. A.

Letter of Lieutenant Kingman.

WILLETS POINT, NEW YORK HARBOR,
December 29, 1876.

GENERAL: I have the honor to submit for your inspection the following account of the methods which I employed in arriving at the facts and conclusions given in my report upon the Washington Monument.

In determining the position and direction of the axis of the monument which reference to an assumed horizontal plane, I considered only so much of it as is included between the top of the lower course of marble and the botton of the upper one. This solid should be the frustum of a right pyramid with square base. To ascertain if it is inclined to the horizon, I have projected its eight corners upon a horizontal plane in this manner:



I laid off upon the ground a base-line, A B C, as shown above, and measured the angles about A, B, and C, and, solving the several triangles, obtained the length of their sides. From these and the measured azimuths I was able to deduce the co-ordinates of all the corners in a horizontal plane referred to the point A, the line A B, and a line perpendicular to it, as origin and axes. In order to make the relative positions of the projections of the points more apparent, I changed the reference to the point *b* as an origin, and *b a* and a line perpendicular to it as axes. The new co-ordinates are:

	Ft.		Ft.		Ft.		Ft.
a	$x=55.029$	*b*	$x=0.000$	*c*	$x=-0.109$	*d*	$x=54.927$
	$y=0.000$		$y=0.000$		$y=54.947$		$y=55.041$
a'	$x=51.834$	*b'*	$x=2.944$	*c'*	$x=2.943$	*d'*	$x=51.815$
	$y=3.012$		$y=3.048$		$y=52.030$		$y=51.897$

x being taken positive toward *a*.

These co-ordinates give the lengths of the sides of the lower base, as follows:

E. Ft.	N. Ft.	W. Ft.	S. Ft.
$a-b=55.029$	$b=c=54.947$	$c=d=55.036$	$d-a=55.041$

The lengths of these sides, obtained roughly by direct measurement with a tape-line, are: a–b=55.05, b–c=55.00, c–d=55.06, d–a=55.07. The same relation existing among them in both cases confirms the angular measurements. The sides of the upper base are as follows:

E.	Ft.	N.	Ft.	W.	Ft.	S.	Ft.
a'–b'	=48.890	b'–c'	=48.882	c'–d'	=48.872	a'–d'	=48.885

Therefore the bases of the frustum, though practically squares, are really trapeziums.

Knowing the lengths of the upper and lower sides of the faces, it is easy to ascertain what the co ordinates of the upper corners must be, in order that the axis should be vertical, and from these to pass to the displacement of any point from this true position. Calling the displacements toward the north and west positive, and those toward the south and east negative, we have—

	N. Ft.	W. Ft.	Ft.
a'	+0.126	−0.066	0.078
b'	+0.125	+0.066	12
c'	+0.030	+0.065	
d'	+0.030	−0.066	0.936 inch.
4)	+0.311	−0.001	
	+0.078	−0.00025	

Regarding for a moment these displacements as having actually occurred, it is evident that the upper base has taken up a compound motion, a motion of translation toward the north and a motion of rotation about its center of inertia. This rotation amounts to about six minutes ($6'\ 00''$) of arc, in a direction the reverse of that of the hands of a watch. This so-called motion of rotation probably never took place, for there is no force or system of forces acting upon the structure that would tend to produce it. The monument was without doubt built in this way. The other effect may be wholly or in part due to the same cause. In amount it is sensibly equal to the motion of the center of inertia of the four points, regarded as a rigid system—equal therefore to 0.936 inch toward the north. Now, if the top of the monument has really moved toward the north—due to unequal settlement—it is evident that the planes of the continuous joints should have a corresponding inclination, for it is highly probable that they were originally made perpendicular to the axis.

The following are the heights of the upper corners of the first and second courses of marble above a horizontal plane through the point b:

	(1) Ft.	(2)	(Upper corners.)
a	0.044	2.079	151.71
b	0.000	2.033	151.80
c	0.003	2.015	151.60
d	0.061	2.061	151.71

Taking a mean of the two, to correct as far as may be for small inequalities in the thickness of the courses, and we find a dip toward the north of 0.048 foot, which corresponds to a displacement of 1.58 inches at the top. I have added also the references of the upper corners

determined from their measured altitudes. They cannot be depended upon as absolutely correct on account of the coarse graduation of my altitude instrument. They give to the upper base a dip that would correspond to an inclination of 0.36 inch toward the north, and also an inclination to the west.

In order to ascertain how much the monument has settled, I had recourse to a record of a line run by Mr. Mills, architect, in 1848. A copy of this record accompanies my report. The record gives the height of the top of the third course, or step of the foundation upon the northwest corner, above a certain bench-mark which it described.

The bench-mark was found and the line rerun. The bench does not appear to have been molested or disturbed. As questions might arise as to what was meant by the third course or step, I have taken the heights of them all. Their references are as follows, beginning at the first one above the surface of the ground:

	Feet.	
No. 1.	3.124	
2.	6.266	Mr. Mills.
3.	9.267	13 feet $1\frac{5}{8}$ inches = 13.135 feet.
4.	12.400	12.400
5.	15.+	
6.	18.+	0.735
		12
		8.820

I am of the opinion that No. 4 is the step referred to by Mr. Mills, because it gives the smallest amount of change. It was probably also the third course above the surface of the ground at the time these measurements were made, subsequent grading having exposed more of the foundation. It is also the third step counting down from the top. This would indicate that the structure had settled 8.82 inches since 1848.

In all the measurements above referred to I have endeavored to attain a high standard of accuracy. My base-line was measured with a "twenty-foot rod" with level and vernier attachments, and which I compared with the standard.

The probable error of my base-line was 0.01 inch in 200 feet. My angular measurements were made with 5″ theodolite, No. 86, Würdemann, Washington, D. C., which, together with the twenty-foot rod, was kindly loaned me by Lieutenant Wheeler, Corps of Engineers.

In my report I have given the entire inclination of the tower, or the amount referred to the surface of the ground. This will explain the discrepancy between the figures given in my report and those obtained here.

The ratio is that of 174 to 151, or the height of the monument above the surface of the ground, to the height of that portion that I first considered.

Very respectfully, your obedient servant,

DAN. C. KINGMAN,
Second Lieutenant, Corps of Engineers.

Lieut. Col. Q. A. GILLMORE,
Corps of Engineers, Brevet Major-General, U. S. A.

APPENDIX A.

CORRESPONDENCE RELATING TO THE EARLY HISTORY OF THE FOUNDATION.

General Humphreys to Mr. Corcoran.

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., April 20, 1877.

DEAR SIR: Will you please have the records of the Washington National Monument Society searched to ascertain whether there are any reports of the architect or engineer to show the character of the soil upon which the foundation for the monument was built, and the weight that it was calculated to sustain, and, if such reports can be found, will you please have copies furnished me?

Very truly, yours,

A. A. HUMPHREYS.

Mr. W. W. CORCORAN,
Vice-President Washington National Monument Society,
Washington, D. C.

Mr. Corcoran to General Humphreys.

WASHINGTON, *April* 21, 1877.

DEAR SIR: I have received your favor of the 20th instant, asking me to "have the records searched to ascertain whether there are any reports of the architect or engineer to show the character of the soil upon which the foundation for the monument was built, and the weight that it was calculated to sustain, and I have referred it to the secretary with a request that he will make the examination and report directly to you.

Very respectfully, yours,

W. W. CORCORAN,
Vice-President Washington National Monument Society.

Maj. Gen. A. A. HUMPHREYS,
Chief Engineer, &c.

Dr. Blake to General Humphreys.

OFFICE WASHINGTON MONUMENT,
Washington, April 24, 1877.

SIR: Mr. W. W. Corcoran, vice-president of the Washington National Monument Society, referred the letter you addressed to him on the 20th instant to this office, with instructions to communicate to you any information which the records of the office might furnish in relation to the views of the architect or engineer who was charged with the erection of the monument as to the character of the soil upon which the foundation of the monument was built and the weight that it was calculated to sustain. After a careful examination of the records of the office, no report of the kind could be found, and it is presumed that as he had daily intercourse with the board of managers and communicated his views verbally to them, it was deemed unnecessary to reduce them to

writing. In the absence of the precise information you require, I deem it not amiss to give you such information as I have been able to collect from other sources.

I have had repeated conversations with Mr. David Hepburn, one of the oldest and most respected citizens of Washington, and who has enjoyed, during his long life, the reputation of a most skillful and superior builder.

He superintended the laying the foundation of the monument, and from him I gather most of the following facts in reference to the character of the soil and the foundation generally.

Mr. Hepburn, though far advanced in life, is an active, energetic man, and his mind as clear and strong as ever. He informs me that the well near the watchman's house, about three hundred feet northeast of the monument, where the pump now stands, was dug to procure a supply of water for the convenience of the building operations, and it was dug 32 or 33 feet below the surface of the earth, exhibiting the same character of soil as was procured from the well in the center of the monument, which is about 27 feet deep from the bottom of the masonry work.

The well in the monument was dug to test the character of the soil. The eight feet of earth taken from the foundation was hard clay, such as is used in making bricks, and the 25 or 26 feet of earth taken from the well was fine sand, intermixed with gravel.

Every one was satisfied with the examination then made, and the work proceeded, and not a doubt was expressed in reference to its ability to sustain the weight contemplated to be put upon it. This view confirms the belief that no written report was made upon the subject, as all were satisfied that the monument could be erected upon that location without the earth yielding in any degree calculated to impair in the slightest manner the stability of the monument. No question was ever raised in regard to the foundation until within a few years past, when an objection was suggested as to the plan of the monument, it being deemed not sufficiently ornate, and other plans were recommended. In order to reconcile the public to tearing down the structure that had been erected, the idea was started that the foundation would not sustain any greater weight than was now upon it. The public mind, however, has settled down into the conviction that no better location could be selected, so far as the stability of the foundation is concerned, and many think that under all circumstances it is the best site for it.

Herewith I send an article copied from the National Intelligencer of September 15, 1848; it is signed "M.," and a uniform impression prevails among old citizens with whom I have conversed upon the subject that it was written by Robert Mills, the architect of the building, and I myself have no doubt upon the subject. I respectfully invite your attention to the following extract from the communication:

> Every precaution was taken to test the under strata where the foundations were laid. A well was dug some little distance, which indicated favorably; the strata was found very compact, requiring a pick to break it up, and at the depth of 20 feet a solid bed of gravel was reached, and 6 feet lower an abundant supply of the finest water was obtained. Though the indications were satisfactory, the architect of the work directed a shaft to be sunk in the center of the foundations, below the bottom of the same, and the same results took place as in the case of the well.

On the 17th of this month I inclosed to Mr. Corcoran a copy of the report of First Lieut. J. C. Ives, of Topographical Engineers, which no doubt he has forwarded to you.

That report, at the time it was written, was entirely satisfactory to the society and the public at large, and as the monument has undergone no

change since then, it is germane to the question of the stability of the foundation that now occupies so much of public attention, and, I respectfully submit, ought to be taken into consideration in determining that matter.

I have the honor to be, very respectfully, your obedient servant,

JNO. B. BLAKE,
Secretary.

Gen. A. A. HUMPHREYS,
Office of the Chief of Engineers.

[Extract from the National Intelligencer of Friday, September 15, 1848.]

THE WASHINGTON NATIONAL MONUMENT.

Every person is interested in knowing of the progress of this great work, for it is emphatically the "people's work."

Since its commencement, soon after the Fourth of July, when the corner-stone was laid, it has progressed with a steady industry and mechanical care, so important to the stability of the structure.

The portion of the design as adopted by the board of managers, now under construction, is the obelisk shaft, which is first to be erected. The foundations now preparing to support this lofty shaft, which is to be five hundred feet above its base, are built with massive stones of the firmest texture, the blue rock of the Potomac Valley, many of the blocks of which weigh from six to eight tons, and which come out of the quarry in square masses, as if cut with the tool, and of varied shapes, so that when laid in the foundation they allow and are made to dovetail into each other, forming thereby a stronger mass of masonry than if the same were squared up as in regular masonry. The mortar used in bedding and binding the stones is composed of hydraulic cement and strong stone lime, with their proper proportion of coarse sharp sand, which will become as hard as the stone it binds in a very few weeks. Every crevice of the stone is filled up with this mortar, and grouted. The square or footing of this foundation for the obelisk is 80 feet each way, and rising by offsets or steps 25 feet high, the whole built of solid masonry, upon which the obelisk shaft will be placed.

It has been decided by the board that the facing of this shaft shall be of white marble, and preparations will be made this fall and winter to procure and cut this material for setting in the spring; the stone-cutters' shops are erected on the ground, and a railroad constructed from the water-line to bring up the stone.

The foundations are now brought up nearly to the surface of the ground; the second step being nearly completed, which covers up the corner-stone.

About two thousand perches of stone are laid, and it is expected the foundations will be all ready for the stone-work before the winter sets in. Every precaution was taken to test the under strata where the foundations were laid. A well was dug some little distance, which indicated favorably; the strata was found very compact, requiring a pick to break it up, and at the depth of 20 feet a solid bed of gravel was reached, and 6 feet lower an abundant supply of the finest water was obtained.

Though the indications were satisfactory, the architect of the work directed a shaft to be sunk in the center of the foundations, 20 feet below the bottom of the same, and the same results took place as in the case of the well.

This shaft was also walled up, and has served a good purpose in keeping the foundations dry, and will serve a valuable one hereafter in furnishing a full supply of excellent water as the work goes up; as, by means of a force-pump, it could be sent up to the top of the monument, thus supplying a refreshing beverage to the workmen, as well as meeting the demands of the work for water. The selection of this site for the monument is most appropriate and commanding, open to the view from up and down the Potomac Valley, fronting the Capitol and President's house, and having in view all the public buildings.

The meridian of this monument, south, is that of Fort Washington; southeast of it extends Virginia avenue, and northeast Louisiana avenue. The extent of grounds allotted for Monument Place, by the liberality of the government, embraces thirty acres, giving ample space for improvement, in avenues, walks, and a noble parade-ground.

Now the great work has commenced under the banner of the people, it will be sustained to completion, and in our day we may hope to see the cap-stone laid.

M.

[The following letters were received by the president of the commission.]

Comptroller Whittlesey to Hon. Mr. Winthrop.

TREASURY DEPARTMENT,
Comptroller's Office, January 24, 1853.

MY DEAR SIR: I transmit to you a letter from Mr. Carbery, chairman of the building committee of the monument, and a letter from Mr. Dougherty, superintendent. In addition to what they state, permit me to remark that, in order to ascertain the kind of earth that would be under the monument, a well was dug, 23 or 25 feet, in the immediate vicinity of the site, and the earth particularly examined. It was pronounced to be hard, compact, and suitable for a structure of the kind. The earth was excavated 8½ feet for the foundation. This is below the influence of the frost.

To be sure that the earth beneath was the same that had been thrown out of the well, a well was bored in the center of excavation for the monument, two feet in diameter, and the earth examined as it was brought to the surface, and found to be without any evidence of defect.

There were persons here who wanted to have the money on hand all buried beneath the surface, and as much more as might be contributed for some time.

The building committee and the board of managers felt the responsibility of having a safe foundation; and believing that was obtained, they considered they were bound to the contributors to spend no money unnecessarily.

Most respectfully, yours,

ELISHA WHITTLESEY.

Hon. ROBERT C. WINTHROP,
Boston, Massachusetts.

Mr. Carbery to Comptroller Whittlesey.

WASHINGTON, *January* 18, 1853.

DEAR SIR: The letter of the honorable Robert C. Winthrop to you has been submitted to the building committee of the Washington National Monument. We are pleased to find that this able advocate and good friend, with Colonel Perkins and others, are trying to raise funds in and about Boston for the monument. As to the sufficiency of the foundation of the monument, I think there is no reason to apprehend danger. Every prudent precaution was taken before the masonry was commenced to test the sufficiency of the foundation, and no doubt was expressed by any one on the subject. The best architects, builders, and other practical men were called to our aid and consulted about the foundation, and all were satisfied of its sufficiency. Eight or ten days before the noble and truly eloquent speech made for us by Mr. Winthrop at the laying of the corner-stone, we had an assemblage, by invitation, of twelve or fifteen of the most scientific gentlemen we could collect to make a last examination of the foundation. Among the gentlemen was Mr. Mills, architect of the monument, Messrs. Renwick & Cameron, architect and builder of the Smithsonian Institute, &c., &c. On the occasion the most thorough examinations were made, and every man expressed the fullest confidence in the foundation, and they declared that it could not be better. The building committee were fully aware of the great responsibility resting upon them in this matter, and Mr. Winthrop may be assured that they spared no pains in procuring the best foundation for the monument. Before we laid the first course of marble, I had stations erected to test the settlement of the monument. It is now 126 feet high, above the ground, and there is no perceptible settlement in it, not even the thickness of a sheet of paper. If, after all these precautions, any settlement should take place, no blame can certainly attach to the building committee; but we do not apprehend any such calamity to this grand structure. The board of managers first fixed upon 600 feet for the height of the obelisk, but, to produce harmony among the members, the height was subsequently fixed at 500 feet, with the understanding and pledge that if the money could be procured the 600 feet should be put up. If the 500 feet only is to be erected, then it will take about $375,000 to complete the obelisk; but if the 600 feet is to be put up, it will take $475,000. This, however, does not include the iron stairway and platforms, or the exterior finish around the obelisk. It would be both safe and easy to put up 50 feet every year, the cost of which would be $50,000. For the want of means the last year, we put up than but little more half this height. The cost of our engine is the same, whether we work a full gang of men or only a small number. I inclose a statement from our superintendent, Mr. Dougherty, which I will thank you to send to Mr. Winthrop, as it may be interesting to him and to others who are engaged in this patriotic undertaking.

I am, very respectfully, sir, your obedient servant,

THOMAS CARBERY,
Chairman, &c.

Hon. ELISHA WHITTLESEY.

Mr. Dougherty to Mr. Carbery.

WASHINGTON, *January* 18, 1853.

SIR: Having been informed by you that doubts had been expressed by some gentlemen as to the ability of the foundation of the monument to sustain the weight of the obelisk, and in order to remove any impression calculated to do injury to the collections for the monument, I herewith send a statement of the whole weight of the structure 517 feet high; also the quantity of material already used to attain the present height of 126 feet.

The whole structure, including the foundation, will require 778,000 feet of stone, or 64,833 tons; of that there is now laid 321,144 feet, or 26.762 tons. being over two-fifths of the quantity required for the whole building. So far there has not been the slightest settlement in the work that I can perceive, and in proof of that fact, I would state that during the past season, when we had reached the height of 116 feet, we leveled around the obelisk and found that it was not an eighth of an inch out of level. In fact, I consider it impossible for any settlement to take place, the foundation being one solid mass of masonry 82 feet square at the base and 25 feet high. The monument has been visited during the past season by thousands, and amongst them some eminent architects and engineers, who have expressed themselves perfectly satisfied of the strength of the foundation to sustain any weight which can be placed upon it. Had there been any tendency to settle, the joints of the foundation would be the first to show it. I have repeatedly examined them, and cannot see the least sign of a crack. In conclusion, I would say that if any person who has doubts of the stability of the work would take the trouble to pay a visit to the monument, I am satisfied I could convince him that such doubts are unfounded.

Respectfully, yours,

WM. DOUGHERTY,
Superintendent Washington National Monument.

THOS. CARBERY, Esq.,
Chairman Building Committee, Washington National Monument.

APPENDIX B.

EXTRACTS FROM REPORTS ON THE FOUNDATION OF THE CAPITOL EXTENSION.

Extract from the Annual Report of the Architect of Public Buildings, Mr. Thomas U. Walter, December 1, 1852.*

ARCHITECT'S OFFICE, UNITED STATES CAPITOL,
Washington, D. C., December 1, 1852.

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EXTENSION OF THE CAPITOL.

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All the foundations have permanent footings on the natural, undisturbed earth; many of them are laid at the depth of *forty* feet and none of them less than *fifteen* feet below the ground line of the buildings. This inequality of depth was rendered necessary by the slope of the

* Ex. Doc. No. 1, Ho. of Reps., 32d Congress, 2d session, part 1, page 583.

original hill on which the Capitol is built. In descending from the eastern front, where the foundations are deepest, the declivity was made in steps, so as to preserve, in every part, a horizontal bearing. The character of the earth under all the walls is the same throughout the work, being a stratum of hard and compact gravel of several feet in thickness.

* * * * * * *

THOMAS U. WALTER,
Architect of Public Buildings.

Hon. ALEX. H. H. STUART,
Secretary of the Interior.

Extract from the report of Professor Walter R. Johnson, to a Select Committee of the House of Representatives, on the building-stone used in the foundations of the extension of the Capitol, March 11, 1852.*

WASHINGTON, D. C., *March* 11, 1852.

* * * * * * *

In order to arrive at some estimate of the adequacy of the foundation-walls to support the structure which it is intended to place upon them, I have taken from the working-drawings of the architect the dimensions of the main walls already laid. These walls are, in general, 6 feet 9 inches thick, but at those parts where the walls are highest, the base resting directly on the ground, it is widened to 9 feet. I find that the entire circuit of each wall (not including the porticoes) will be equal to a single wall 728 feet long. This wall is to support a superstructure 34 feet high and $4\frac{1}{2}$ feet thick, composed, in part, of marble weighing about 179 pounds per cubic foot, and in part of other materials, brick, mortar, &c., which will probably weigh considerably less; but I have assumed, for the sake of giving their full weight, that the entire wall will weigh 175 pounds per cubic foot. Consequently, one linear foot of superstructure will weigh 26,775 pounds. This weight, when transmitted to the base of the foundation-walls, where they are $6\frac{3}{4}$ feet thick, will load each square foot with a weight of 3,966 pounds; but where the foundation-walls are 9 feet thick, the load at the base due to superstructure will be but 2,975 pounds per square foot. The highest part of the foundation-walls themselves is stated by Mr. Walter to be 40 feet, and by the accompanying table it appears that the stone weighs 173 pounds per cubic foot, from which it follows that a vertical wall (not widened at the base) would press that base with a force of 6,920 pounds per square foot, which, added to the pressure of 3,966 pounds, due to the superstructure, would give a total of 10,886 pounds, which would have been the load at the bottom of the foundation-wall at its deepest part if it had not been made thicker than the rest. If this deepest part of the foundation be gradually thickened from $6\frac{3}{4}$ feet at the top to 9 feet at bottom, the weight of it distributed over the base will be equivalent to a load of 6,055 pounds per square foot, to which, adding the weight of the superstructure, as above computed, for the same 9 feet base, viz, 2,975 pounds, we obtain 9,030 pounds on one square foot.

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WALTER R. JOHNSON.

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* Ex. Doc. No. 1, Ho. of Reps., 32d Congress, 2d session, part 1, pp. 604-5.

B.

WASHINGTON, D. C., *October* 17, 1877.

To the Joint Commission on the Construction of the Washington National Monument, Washington, D. C.:

GENTLEMEN: I have the honor to transmit herewith the report of the Board of Engineer Officers convened by Special Orders No. 196, headquarters of the Army, September 21, 1876, on that portion of the "review" by the Washington Monument Society of the board's report of April 10, 1877, to which their attention was invited by the Chief of Engineers under date of July 18, 1877.

In connection with the report the following papers are transmitted, viz:

Letter of Maj. O. E. Babcock, Corps of Engineers, dated July 9, 1877, to the Chief of Engineers, United States Army, with three inclosures.

Copy of letter from Lieut. Col. J. D. Kurtz, July 30, 1877, to Mr. Floris Van Reuth.

Copy of letter from Mr. Floris Van Reuth, August 4, 1877, to Lieut. Col. J. D. Kurtz.

Copy of letter from Lieut. Col. T. L. Casey, August 4, 1877, to Lieut. Col. J. D. Kurtz, with copy of memoranda from the files of the Office of Public Buildings and Grounds, referred to in Colonel Casey's letter.

Copy of letter from Lieut. Col. J. D. Kurtz, August 8, 1877, to the Washington National Monument Society.

Copy of letter from Dr. John B. Blake, secretary, September 4, 1877, to Lieutenant-Colonel Kurtz, with copy of letter from John Shea, August 28, 1877, referred to in Dr. Blake's letter.

Copy of letter from General M. C. Meigs, United States Army, September 20, 1877, to the Chief of Engineers.

Copy of report of Nicholas King, October 15, 1804, to the President.

Very respectfully, your obedient servant,

J. C. DUANE,
Lieutenant-Colonel of Engineers, Senior Member of Board.

OFFICE OF LIGHT-HOUSE ENGINEER FIFTH DISTRICT,
Baltimore, Md., July 9, 1877.

GENERAL: I have the honor to state, in reply to your letter of June 21, which I found at my office on return Thursday last, that when grading the roadway known as Meridian avenue across the marsh in Monument grounds, in 1872, there was in the line of the projected avenue a large quantity of rejected stone, marble, and gneiss; that there was also the remains of a stone structure, reported to me as the foundation of the derrick used in unloading the stone for the monument. This masonry had no appearance of being a monument, but rather the foundation for some superstructure then gone. On this representation, and knowing that no more stone could be landed there, I instructed the superintendent of the work, Mr. L. Van Reuth, to complete the grade, irrespective of this. Whether any, or, if any, how much, was thrown down I am unable to state, but suppose only a sufficient quantity to enable the superintendent to carry out the grade. I know that there was no such finished monument there as represented in the report, though a portion of the meridian-stone may have been there and been taken as a foundation for the derrick. That there shall be no confusion between this and the mutilated meridian-stone now standing, I send

you a copy of a correspondence between General Gillmore and myself relative to the meridian-stone as described by General Gillmore, "which stands southwest from the monument and between it and the water."

I am, sir, very truly, yours,

O. E. BABCOCK,
Major of Engineers, U. S. A.

Brig. Gen. A. A. HUMPHREYS,
Chief of Engineers, U. S. A., Washington, D. C.

P. S.—I have submitted the above to Mr. Van Reuth, now residing at No. 1109 Thirteenth street, and inclose herewith his letter on the subject, by which it will be seen that his memory is the same as mine.

[Indorsement.]

OFFICE CHIEF OF ENGINEERS,
Washington, July 18, 1877.

Respectfully referred to Lieut. Col. J. D. Kurtz, Corps of Engineers, for the Board on Foundation of Washington Monument, to determine by instrumental measurement whether the stone used by the board as "bench-mark" is at the intersection of north and south line through center of the President's House and east and west line through center of the Capitol; also to determine the positions of the two stones, or structures, referred to by General Babcock as covered over by the roadway of Meridian avenue and their relation to the point of intersection of the two lines above mentioned.

By command of Brigadier-General Humphreys.

JOHN G. PARKE,
Major of Engineers.

WASHINGTON, D. C., *June* 2, 1877.

GENERAL: I am in receipt of your favor of May 31, 1877, requesting me to inform you whether the permanent bench-mark, referred to within, which stands southwest from the monument and between it and the water, was disturbed when grading the grounds during General Babcock's charge of public buildings and grounds, &c.

In reply, I have to say I suppose you mean what is commonly known as the meridian-stone and situated as you say. I did not intentionally disturb said stone; on the contrary, had the small picket fence at one time around it repaired, and instructed my superintendent not to disturb it, and to leave the mound of earth around it for protection.

I do not wish to state that the grading *did not* disturb the stone, for the circular mound of earth left is but about eight feet in diameter at the top and between three and four feet in height, so that the very deep freezing that occurred in this latitude last winter may have disturbed the monument.

I visited the stone to-day to see if my memory of the condition of the top of the stone is correct, and find it is, viz: that the stone is of a soft quality of gray sandstone, was evidently of a pyramidal form, and has a vertical line cut on northern and southern side marking the meridian; there are no vertical lines on the east and west side. What the original finish of the stone was cannot be seen, as the entire top has been broken away and the corners broken off, either by malicious persons or persons who supposed the pieces broken off valuable as relics. That the present top of the *meridian stone* monument was not the top of the stone when

set, no one will doubt who sees its present shapeless form. Whether the defacing of the stone was done prior to November 9, 1848, I am unable to say. Without doubt a description, and probably a sketch, of the stone can be found in the government archives. I am unable to say where, and my official duties take me from the city at once, thus preventing a personal search for the same.

If I can assist you in any way in this, or any other matter, I shall be pleased to do so.

Very truly, yours,

O. E. BABCOCK,
Maj. of Engineers, Bvt. Brig. Gen.

General Q. A. GILLMORE,
United States Engineers, New York City.

ARCHITECT'S OFFICE,
Tuesday, November 7, 1848.

GENTLEMEN: In order to establish a *permanent bench-mark*, denoting the relative difference of level between *it* and a certain point on the foundation of the monument, with a view to future operations to determine at proper times whether any *settlement* has taken place in such foundation, I, on this day, made a series of levels from a point on the top of the third course or step of the foundation, northwest angle, to a point on the top of the meridian-stone monument near tide-water (which stone monument was planted there by President Jefferson to determine the intersection of the meridian-line from the center of the President's House with a line drawn west from the center of the Capitol), and find the top of said meridian-stone monument to be thirteen feet one inch and five-eighths of an inch lower than said foundation at the top of said third course or step. My assistants were Mr. Dougherty, the superintendent of the work of the monument, and Mr. Hepburn, his assistant.

ROBERT MILLS,
Architect Washington National Monument

[Indorsement.]

NEW YORK, *May* 31, 1877.

Respectfully referred to General O. E. Babcock, with request to be informed whether the permanent bench-mark referred to within, which stands southwest from the monument and between it and the water, was disturbed when grading the grounds during General Babcock's charge of public buildings and grounds. A mound of earth was left around the stone with the intention, apparently, of leaving the stone itself untouched.

J. A. GILLMORE,
Lieutenant-Colonel Engineers, Brevet Brigadier-General.

WASHINGTON, D. C., *July* 2, 1877.

SIR: After your call this morning I went immediately to the monument grounds, to endeavor to refresh my mind in regard to subject in hand. I called upon Mr. S. W. Lloyd, who has been employed in the commissary department since the war, and with whom I boarded at the time I was superintendent under you. He brought the subject in question immediately upon my mind. The stone in question lays near the intersection of Executive and Virginia avenues. It was a brown stone piece

of masonry-work, five feet square, and stood about six feet above tide, and was used as a footing for derrick. There was another large gray stone situated about forty feet northeast of this piece of masonry-work, with two rings in it, one of which was used for hooking the boats, and the other for guide-ropes. Both of those stones were covered in making the road. My letter to Mr. Benjamin, mailed last Thursday, was written without giving the subject due consideration.

I am, very respectfully, your obedient servant,

FLORIS VAN REUTH,
1109 *Thirteenth street, N. W.*

Gen. O. E. BABCOCK,
City.

UNITED STATES ENGINEER OFFICE,
1328 *Chestnut Street, Philadelphia, July* 30, 1877.

SIR: In your letter of July 2 to General Babcock respecting the stone at the Monument grounds, you state that it was 5 feet square, and was used as a footing for derrick.

Was there one flat stone 5 feet square, or was it masonry-work built of several pieces? Was there place for iron shoe or a pintle, or how did you ascertain it was used as a footing for derrick? Please describe the particulars of the case.

Was it the Monument Association that used the stone for a derrick footing, and for how long had it been so used? Was the stone disturbed by your work, or was it merely covered up in grading?

Very respectfully, your obedient servant,

J. D. KURTZ,
Lieutenant-Colonel of Engineers.

Mr. FLORIS VAN REUTH,
No. 1109 *Thirteenth St., N. W., Washington, D. C.*

BALTIMORE, MD., *August* 4, 1877.

SIR: Your letter of July 30 has been duly received and contents noted. The flat stone, 5 feet square, was a brown piece of stone-masonry, and was built of several pieces; and, to the best of my recollection, had neither a pintle or iron shoe on it. It was used by the Monument Association for a derrick to unload the marble and other materials from vessels for the monument, but how long it was used as such I am unable to ascertain at present, as I have moved to Baltimore.

I did not disturb the stones while I was in charge under General O. E. Babcock, but merely covered them up in grading. My information is partly from my own knowledge and of a Mr. Lloyd, who lived on the place several years before my commencing work there.

I am, very respectfully, your obedient servant,

FLORIS VAN REUTH,
483 *East Chase Street.*

Lieut. Col. J. D. KURTZ,
Corps of Engineers, Philadelphia, Pa.

OFFICE OF PUBLIC BUILDINGS AND GROUNDS,
Corner Pennsylvania Avenue and Twenty-first Street,
Washington, D. C., August 4, 1877.

COL.: I have to acknowledge the receipt of your communication of the 13th ultimo, and to make to the several questions proposed the following answers:

Answer to first question, first part. I do not know.

Answer to first question, second part. We have not been able to find any record whatever of the Jefferson stone.

Answer to second question. The sandstone said to be the center of the original District of Columbia, is believed to be a stone on a line passing through the center of the Capitol in a true east and west direction. It is a piece of undressed freestone, tapering from 12 to 15 inches, about 3 feet 6 inches above the ground. No marks or cross-lines are visible upon the exposed end.

Inclosed I send you some memoranda extracted from the early files in the office of Public Buildings and Grounds at the Capitol by one of my clerks, which gives some idea of the manner in which the initial lines for laying out the city were determined.

I am informed by the Public Gardener, Public Buildings and Grounds, that when the Monument grounds were graded some years since, a stone having the appearance of a bench, or point of reference, was covered up by the embankment to the northward of the present Washington Monument. But to the best of his recollections the stone in question did not lie upon a meridian line passing through the center of the Executive Mansion. Of course this stone cannot be the Jefferson stone referred to in the review of the proceedings of the Board of Engineers.

Very respectfully, your obedient servant,
THOS. LINCOLN CASY,
Lieutenant-Colonel of Engineers.

Lieut. Col. J. D. KURTZ,
Corps of Engineers.

OFFICE OF COMMISSIONER OF
PUBLIC BUILDINGS AND GROUNDS, CAPITOL,
Washington, D. C. July 25, 1877.

Report of investigation in reference to the purpose, cause, original use, or necessary preservation of the *stone* set up west from the National Monument; frequently represented as the center of the present District of Columbia.

Having very carefully examined all the records in this office, I find that Major L'Enfant did in two reports to the commissioners (reports on file), dated Georgetown, June 12, and August 19, both in the year 1791, recommend that the Capitol and Executive Mansion be built where they now stand.

Commissioners state to Major L'Enfant, "we have agreed that the federal district shall be called 'the Territory of Columbia' and the federal city 'the city of Washington,' (commissioners' letter-book No. 16, page 32, September 9, 1791). The title of the map will therefore be a map of the city of Washington in the Territory of Columbia." "We have also agreed the streets be named alphabetically one way and numerically the other, the former divided into north and south, letters, the latter into east and west, numbers, from the Capitol."

Major Ellicott, C. E., was in Philadelphia in the year 1792, preparing the Washington City plan for to be engraved in that city (commissioners' letter-book No. 16 pages 117, 118, 119, and 120). "During the years 1792 and 1793, there were 1800 small and 1580 large plates of the plan printed, sold, and distributed in the United States and Europe." A copy of which is in this office, dated Philadelphia, 1792, and titled as directed on which is printed the Capitol and Executive Mansion where they now stand; also that Major Ellicott drew a true meridianal line by celestial observation (plan No. 36), which passes through the area intended for the Capitol; this line he crossed by another due east and west, which passes through the same area. These lines are accurately measured, and made the basis on which the whole plan is executed.

The commissioners ordered a "Mr. Fenwick to proceed in preparing and fixing a stone at every corner of each square in the city. To mark one stone only for each square, the stone to be marked with initials designating the street in which it is fixed and with the number of the square, and to be set up, for example, in the southwestcorner." (Commissioners' proceedings, vol. 12, page 130, August 30, 1792.) He is also "desired to set up stones at certain distances in the north and south and east and west lines from whence the city was laid out." The commissioners also "request Major Ellicott to have so much attention to the placing of the stones as to see they are rightly fixed, as they may with propriety be mentioned in the certificates as the boundaries of the squares."

The commissioners requested Mr. Fenwick to pursue the north and south lines in the part of the city yet to be surveyed and marked to their termination, beginning at that (commissioners' proceedings, vol. 12, page 232, March 25, 1794) passing through the President's House and marking forwards to the Eastern Branch.

On the original plan of the city annexed to President Washington's letter, the spot where the stone under consideration is fixed shows a legible mark by a pointed instrument and pencil-lines (plan No. 35) extending therefrom in the directions of the Capitol and Executive Mansion.

Knowing there is in line with Sixteenth street beyond the city boundary an elevated part of ground called "Meridian Hill," in which a similar stone was fixed (removed only a few years since, when cutting down the hill), evidently deriving that name from the Meridian line; finding that all particular points had initialed stones, and no special reference whatever in the records or correspondence about any of those in this line, and there being no trace of any particular marks ever being made on the stone in the Monument ground that the Capitol is the bench-mark for the city; that from it a line was pursued westward and northward, the former intersected at the point under consideration by another line pursued northward, and agreeing with the marks still legible on the original plan, is sufficient evidence that the stone in the Monument ground was fixed there as the bench-mark for the Meridian line through the Executive Mansion.

Respectfully submitted.

JNO. STEWART, *C. E.*

UNITED STATES ENGINEER OFFICE,
Philadelphia, Pa., August 8, 1877.

To the Washington National Monument Society, City Hall Building, Washington, D. C.:

GENTLEMEN: In the review of the report of the Board of Officers of Engineers by your committee, two meridian stones are cited and figured

as established in the vicinity of the monument, one said to be the center of the original District of Columbia, and the other planted by Jefferson, removed August, 1872. I will thank you for information respecting them, viz:

What is the history of the first-named stone, when was it established, by whom, and for what purpose?

How is the appearance of the second stone (Jefferson's) ascertained; from records or from recollection? What are or were its dimensions? The sketch, page 13 B of the review, shows the three courses of the monument, as standing. When were they removed?

Very respectfully, your obedient servant,

J. D. KURTZ,
Lieutenant Colonel of Engineers, Senior Member Board of Engineers.

WASHINGTON MONUMENT OFFICE,
Washington, D. C., September 4, 1877.

SIR: I have endeavored to obtain some recorded evidence of the dimensions of the stones forming the Jefferson Meridian Monument, but have been unsuccessful; and I am not surprised that my research should have resulted as it has, as I presume that Mr. Nicholas King, under whose supervision it was planted, did not deem any further description necessary than simply to state that a monument was placed at the point of intersection of a line from the center of the President's House running due south, and a line from the center of the Capitol running due west.

The authority for the form of the monument in Plate B of the review of the report was the recollection generally of our older citizens, who had often seen and well remembered it.

The stone was removed, as you will perceive by reference to page 13 of the review, in the summer of 1872, and it is understood that its removal was an oversight on the part of persons employed in improving the Monument grounds, under the direction of the Commissioner of Public Buildings. I enclose herein a copy of a letter from John Shea, the watchman at the monument, who has filled that situation for fourteen years. He is an intelligent and truthful man, of a robust constitution and sound mind, and my own recollection of the stone accords with his, and I believe his description perfectly accurate.

The stone which Lieutenant Kingman mistook for the meridian stone adopted by Mr. Mills, the architect, is on the meridian line, distant 99 feet 6 inches from the Jefferson stone, and is a small obelisk of freestone, generally understood to designate the center of the District of Columbia.

Very respectfully, your obedient servant,

JNO. B. BLAKE,
Secretary.

Col. J. D. KURTZ,
United States Engineers.

CITY OF WASHINGTON,
Monument Place, August 28, 1877.

SIR: In answer to your letter of yesterday's date making certain inquiries in relation to the "Jefferson Meridian Stone," I respectfully inform you that I have been continuously watchman at the monument for fourteen years, and have a perfect recollection of the stone in question.

The pier was built of blue gneiss rock and was about four feet high, with a cap of sandstone projecting about an inch, on which was another stone of the same material considerably smaller and thicker. It was removed about five years ago, to the best of my recollection, by men employed in improving the Monument grounds whilst General Babcock was Commissioner of Public Buildings.

Very respectfully, your obedient servant,

JOHN SHEA,
Watchman.

Dr. JOHN B. BLAKE,
Secretary Washington Monument Society.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., September 20, 1877.

GENERAL: Noticing the discussion as to height of the stone used as a bench-mark for the base of the Washington Monument, which it is alleged has been removed within a few years, it occurs to me that in making the original surveys for the Washington aqueduct it was necessary to ascertain the low-water level of the Potomac River, and that the engineer used a bench-mark near the mouth of Tiber Creek, or the Washington Canal.

I do not know personally what fixed stone they took as the starting-point, but it seems to me that it was some such monument as the one which has disappeared.

Mr. Wm. H. Bryan, civil engineer, had charge of the leveling, and in the records of the Washington aqueduct original surveys, if examined, I think it very possible that the level of this lost monument may be found.

All these records should be on file in the Washington Aqueduct Office.

Very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General, Bvt. Maj. Gen., U. S. A.

Brig. Gen. A. A. HUMPHREYS,
Chief of Engineers, U. S. A.

P. S.—The topography was surveyed and drawn by Wm. Wampler, of the Coast Survey; and in the records of the Coast Survey Office, also, information on this point may be on file.

SURVEYOR'S OFFICE,
October 15, 1804.

SIR: Being requested by Mr. Briggs to assist him in running a true meridian line, which should pass through the center of the President's House, and to perpetuate the same, as also the point of intersection by a due west line drawn from the center of the Capitol, by fixing permanent marks thereon, and as the pressure of other official engagements prevented his attention to more than ascertaining the meridian line, and marking it temporarily, it devolves on me to describe the mode pursued in ascertaining the line and the required intersections, that others may know what dependence is to be placed on their accuracy.

In running the meridian line, I acted only in the capacity of assistant,

conforming entirely to the instructions of Mr. Briggs, and executing with all the care in my power the marking of his temporary line, agreeably to his signals and instructions, in giving which I believe he used all the accuracy of which the instrument was capable. With a new transit instrument, executed by Voigt, of Philadelphia, he ascertained the place of the star in the tail of the constellation Ursa Minor, on its greatest eastern elongation, and continuing the vertical circle to the surface of the ground by the instrument, he determined the bearing; in the line of which, on a very low stand, was placed one of Argand's lamps covered by a tin cylinder in which a small slit was made, for a sight, and the line from the light towards the instrument was drawn upon the stand. Knowing the radius of the circle described by the star, or half the angle formed by its greatest elongations, east and west, and the altitude of the pole; he by calculation deduced the horizontal angle made by two vertical circles, one of which is the meridian, passing through the pole, the other through the star's place when farthest east.

This horizontal angle being found, and the base line measured from the place of the instrument (the north door of the President's house) to where it is intersected by an east and west line, the place of the light or sight used (the north side of north I street) afforded the necessary data for calculating the distance to be measured west, from the place of the sight to the true meridian line; which offset was very carefully made and the line marked on the head of a post firmly driven into the ground. The meridian being thus fixed and a point found due north from the place of observation, the line was continued by the instrument at one sight, and tested by reversing the telescope at an intermediate station in the line, to the top of a hill near two miles north of the President's house, on the lands of Mr. Robert Peter; where temporary posts were fixed, and the line marked upon them, according to the instructions by signal from Mr. Briggs at the instrument.

From the President's house the line was reversed, by the instrument, and continued south across the Tyber Creek, and marked in the same manner on the head of posts driven in the public appropriation called the Mall. Having obtained the permission of Mr. Peter, early in September, I planted a small obelisk of freestone prepared by Mr. Blagden, in the meridian line north of the President's house on the height where the stakes had been fixed under the direction of Mr. Briggs. The apex is in the true meridian from the center of the north door.

In perpetuating the south line it was deemed best to place the stone where the meridian line should be intersected by a west line from the Capitol; the surface of the ground, however, being unfavorable, the Capitol not being visible at the point of intersection, it suggested the planting an obelisk similar to that on the north line at a point on the meridian, west from the south end of the Capitol, and where the building was distinctly seen, and from thence find the intersection of the center line, by measuring northwards half the length of the Capitol. Although the body of the building was in full view, yet intervening trees prevented my seeing with the necessary distinctness the south end of the Capitol; and I had to find the required point on the meridian by setting off the angle included between the northwest corner of the building and the center of the President's house. This angle I had previously calculated from the distance $7{,}696\frac{8}{10}$ feet, and the length of the Capitol 351 feet 5 inches, to be 87° 23′ 06″ 8——.

For the greater accuracy, I measured this angle from different parts of the circle of a theodolite, made by Adams, going several times round

the instrument, and taking the mean as the correct angle. In one instance, however, I found a variation of nearly two minutes in the angular distance of the buildings, in others they would concide for several observations. I thus ascertained my position, and the point on the meridian line, from which a line drawn at right angles, due east, would touch the south end of the Capitol with all the precision the instrument is capable of. Here I planted the obelisk, and measured from the center of it, north 175 feet 8½ inches, half the length of the building, for the point of intersection on the meridian drawn through the center of the President's house, by a west line from the center of the Capitol.

It is on the south bank of Tyber Creek, and marked by the erection of a small pier, covered by a flat freestone, on which the lines are drawn.

I am, sir, respectfully yours,

NICH'S KING, *L. C. W.*

The PRESIDENT OF THE UNITED STATES.

UNITED STATES ENGINEER OFFICE,
Portland, Me., October 22, 1877.

SIR: I have the honor to transmit herewith the report of the board of engineer officers convened by special orders No. 196, headquarters of the Army, September 21, 1876, on that portion of the "review" by the Washington Monument Society of the board's report of April 10, 1877, to which their attention was invited by the Chief of Engineers, under date of July 18, 1877, with the request that it may be forwarded to the "joint commission on the construction of the Washington National Monument."

Very respectfully, your obedient servant,

J. C. DUANE,
Lieutenant-Colonel, Corps of Engineers, Senior Member of Board.

Brig. Gen. A. A. HUMPHREYS,
Chief of Engineers, U. S. A., Washington, D. C.

WASHINGTON, D. C., *October* 17, 1877.

To the joint commission on the construction of the Washington National Monument, Washington, D. C.

GENTLEMEN: We have the honor to report after full examination that the statement made in a "review" of our report of April 10, 1877, by the Washington National Monument Society—referred to us by the Chief of Engineers—to the effect that the meridian stone established by Mr. Robert Mills near the monument, November 4, 1848, as a bench-mark for the monument, was removed some years ago is correct. The meridian stone which Lieutenant Kingman used in taking his levels was, therefore, not the true one, although standing near it, and the apparent subsidence of 8.22 inches at one corner of the monument deduced by him and adopted into our report, is to be eliminated therefrom, leaving the question of the amount of subsidence undetermined and indeterminate. Whether the monument has settled more than 8 inches or less cannot now be ascertained. Although no special importance attaches to the circumstance of a few inches more or less of uniform or nearly uniform subsidence, it is deemed proper to state that our adoption for

a bench-mark of the only meridian stone near the monument was the result of a misunderstanding between us and the Washington Monument Society. When the senior member of our board officially applied to the society for documentary records and data to aid us in our investigations, he was furnished, among other papers, with a description of the Robert Mills meridian stone, and, afterward, when the board, at its first meeting, called in a body at the office of the society, they understood the gentleman in charge of the office, and also the one who afterward accompanied the board to the monument, to indicate the existing stone as the one to which the description referred. It never occurred to us that the description of a bench-mark that had been entirely destroyed would be furnished for our information and guidance, and having no reason to doubt that the stone standing near the monument was the true one, no instrumental verification of its position was directed to be made by Lieutenant Kingman, and he therefore made none.

After careful inquiry we have failed to determine the height of the true bench-mark, and cannot ascertain that it was ever used to determine the amount of subsidence which the monument had undergone.

By reference to our report of April 10, 1877, it will be seen that no special stress was placed upon the reported subsidence of over 8 inches at one corner of the monument. Considerable importance, however, must attach to the circumstance recently brought to our knowledge that the amount of subsidence is and must remain unknown. It may have been less or more than 8 inches, and whether less or more, the effort to cause lateral displacement of the adjacent soil may have reached a stage where a moderate accession of weight would produce serious results.

Our report was almost exclusively devoted—first, to a description of the methods followed in examining the soil by separating it into its constituent ingredients, and by subjecting it to pressure; and, second, to a statement of all the available information concerning heavy structures elsewhere in this country and Europe, resting upon similar soils.

It was found that the soil contains a large excess of clay, and that even in small blocks, rigidly confined on the sides, it was measurably compressible in two or three minutes under a weight equal to only two-fifths of that now exerted by the monument, and only about two-sevenths of what it will exert when completed with thinner walls to its reduced height of 400 feet.

It was also ascertained, as having been thoroughly demonstrated by experience, that the present weight of the monument—5 tons per square foot—is a maximum load for wet, clayey soils like that upon which it rests, and more recent investigations, made since our report was submitted, have failed to discover any successful attempt to erect a stable structure exerting a pressure exceeding 5 tons per square foot, upon any similar soil.

Taking Lieutenant Ives's estimate of the average weight of the masonry in the monument at 170 pounds per cubic foot, the structure if carried to a height of 400 feet above the base, with thinner walls as proposed, will exert a pressure upon the soil equal to 7.11 tons per square foot, a weight which greatly exceeds that of any structure of which we have any knowledge resting upon a compressible unconfined soil.

In our judgment the strata underlying the monument do not offer sufficient resistance to compression to justify the completion of the shaft in accordance with the modified design, or any other design that will materially add to its weight, unless the soil be well supported against all tendency to lateral movement, upon the plan recommended in our

special report of June 15, 1877, or upon some other plan that will secure the same result.

With such support, however, and after the soil shall have been well compressed by loading, substantially in the manner recommended, we believe the shaft could be safely carried up to a height of 400 to 500 feet, without endangering its stability.

The foregoing remarks comprise all we wish to say upon that part of the Monument Society's Review specifically referred to us, to wit, their statement concerning the bench-mark and Lieutenant Kingman's report.

We do not feel at liberty, nor do we desire to discuss the rest of the "review," except to refer very briefly to the cost but not to the efficacy of the method suggested therein for increasing the stability of the monument "by a system of underpinning, propping, and extending the area of the foundation."

(See page 15, and diagram of review.)

If this method of underpinning be restricted to the four sides of the base and not extended entirely around by applying it at the four angles, the quantity of masonry required is 28,000 cubic yards. If the angles be added, the quantity is 35,350 cubic yards. The diagram represents this masonry to be stone laid in courses, but assuming it to be good concrete, which is the cheapest kind of work at all suitable for this purpose, the cost of this method of underpinning, on the first supposition, will be $211,000, and on the second $260,000. This does not make any provision for loading the base of the monument previous to resuming the work of construction, nor for repairing the joints in the lower part of the shaft.

In these estimates the cost of all the masonry is placed at $7 per cubic yard, and that of the earth-excavation at 40 cents per cubic yard, these being the prices adopted by us in our project for providing for the stability of the monument by a circumscribing wall, submitted to the joint commission in our report of June 15, 1877. The masonry directly under the base of the monument ought, however, to be of stone or of first-rate Portland cement concrete, costing, perhaps, $13 or $14 per yard, which would increase the amounts of the estimates above given.

In our project the estimated cost of the circumscribing wall complete, including that of the bed of concrete between the wall and the base of the monument, was $39,300. The two additional items of loading the base and enlarging the joints near the bottom of the shaft swelled the aggregate estimate to $55,000.

The sudden death of Col. J. D. Kurtz, the senior member of this board, which occurred early yesterday morning in Georgetown, D. C., prevented his signing this report.

The foregoing portion is now submitted precisely as revised by his hands, and embodies all the alterations which he chose to make in the original draught, with the single exception that the address has been changed from "The Chief of Engineers U. S. A.," to "The Joint Commission on the Construction of the Washington National Monument."

Two reports by Second Lieut. Daniel C. Kingman, Corps of Engineers, dated respectively September 24 and October 2, 1877, relating to his search for information concerning the meridian-stone established by Robert Mills, November 7, 1848, are transmitted herewith.

Very respectfully, your obedient servants,

J. C. DUANE,
Lieutenant Colonel of Engineers, Bvt. Brig. Gen., U. S. A.

Q. A. GILLMORE,
Lieutenant-Colonel Engineers, Bvt. Maj. Gen., U. S. A.

B.

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., October 26, 1877.

SIR: I beg leave to transmit herewith a report of the Board of Engineer Officers, organized at the request of the commission, by Special Orders No. 196, Headquarters of the Army, September 21, 1876, relative to the subsidence of the monument.

Very respectfully, your obedient servant,

A. A. HUMPHREYS,
Brig. Gen. and Chief of Engineers, Member of Commission.

Mr. W. W. CORCORAN,
Chairman Joint Commission on the
Washington National Monument.

C.

UNITED STATES ENGINEER OFFICE,
Philadelphia, Pa., June 18, 1877.

GENERAL: I have the honor to transmit herewith the report of the Board of Officers of Engineers, constituted by paragraph 1 of Special Orders No. 196, Headquarters of the Army, September 21, 1876, and reconvened in conformity with paragraph 1 of Special Orders No. 44, Headquarters Corps of Engineers, May 7, 1877, "upon the practicability and cost of giving additional spread to the foundation of the Washington Monument, and of carrying the foundation down to the gravel-bed."

Very respectfully, your obedient servant,

J. D. KURTZ,
Lieutenant-Colonel of Engineers, Senior Member of the Board.

Brig. Gen. A. A. HUMPHREYS,
Chief of Engineers U. S. A., Washington, D. C.

[Indorsements.]

OFFICE CHIEF OF ENGINEERS,
Washington, June 23, 1877.

Respectfully transmitted to the honorable the Secretary of War.

A. A. HUMPHREYS,
Brig. Gen. and Chief of Engineers,
Member of Joint Commission, &c.

WAR DEPARTMENT, *June* 28, 1877.

Respectfully submitted to the President.

H. T. CROSBY,
Chief Clerk, in the absence of the Secretary of War.

NEW YORK, *June* 13, 1877.

To the Joint Commission on the Construction of the Washington National Monument, Washington, D. C.

GENTLEMEN: The Board of officers of the Corps of Engineers constituted by Special Orders No. 196, Headquarters of the Army, Adjutant-

General's Office, Washington, September 21, 1876, to examine the foundation of the Washington National Monument and ascertain whether it is sufficient to sustain the weight of the completed structure, in compliance with section 2 of the act of Congress approved August 2, 1876, have had the honor to lay before the president of your commission the results of their examination, and a brief statement of their views upon the subject under consideration.

The present report upon a question not specifically embraced in the original instructions, nor in the act under which the board was organized, is made in compliance with the following order reconvening the board:

[Special Orders No. 44.]

(Extract.)

HEADQUARTERS CORPS OF ENGINEERS,
Washington, D. C., May 7, 1877.

1. The Board of Engineer Officers convened by paragraph 1, Special Orders No. 196, Headquarters of the Army, September 21, 1876, will reassemble in New York City at as early a day as practicable and upon the call of the senior officer of the board, to consider and report upon the practicability and cost of giving additional spread to the foundation of the Washington Monument, and of carrying the foundation down to the gravel-bed beneath the compressible stratum of sand and clay

* * * * * * *

By command of Brigadier-General Humphreys.

THOS. LINCOLN CASEY,
Lieutenant-Colonel of Engineers.

It is deemed practicable to attain the object indicated in the foregoing order, either by replacing with solid masonry the bed of compressible clay and sand which underlies the base of the monument, or by circumscribing it with a wall possessing sufficient depth and stability to resist for an indefinite time any lateral movement of the soil, under such additional load as may be placed upon the structure during the process of its completion.

In executing the first method—that of a masonry subfoundation—the process most likely to insure entire success would be to sink the requisite number of shafts close alongside the monument, to the depth required for the new foundation, and then to run narrow tunnels, one at a time, from these shafts, under the base of the structure, filling them one after another as soon as completed with good solid masonry. The tunnels should be parallel to, and 3 to 4 feet distant from each other, great care being taken not to loosen or disturb the soil in the intervening spaces. The first stage of this operation will therefore consist in placing under the base of the monument a series of parallel walls of masonry, separated from each other by walls of the natural soil, and it is necessary that the work be executed under such precautions that the soil left in place shall continue to support without movement all the weight which now presses upon it.

The ends of the masonry walls should project beyond the base and may be finished with a batter of about 2 upon 1. This would increase the present width of base 15 feet in the direction of the tunnels, provided the latter are 15 feet in depth. In the other direction, that is at right angles to the line of the tunnels, additional spread could be secured by giving a batter of about 4 upon 1 to the outer faces of the two exterior tunnels. The present area of the base (6,400 square feet) could in this manner be increased to 9,265 square feet, and it would rest upon a comparatively firm mixture of sand, gravel, and clay, containing a large proportion of pebbles and bowlders.

A mixture of Portland cement and sharp sand would be suitable for all of this new foundation, each of the walls being formed in a single piece, those of the first series being molded with panel depressions on both faces, into which the material composing the second series wolud interlock.

It is conceded that the execution of this project would be a very delicate operation, and would moreover be slow, tedious, and costly, with the possibility of not affording entire satisfaction when complete. The expense alone constitutes such a serious objection to its adoption, that it is not recommended by this board, for the reason that the objection in view can be otherwise accomplished at less cost.

By the other method referred to, that of a circumscribing wall, the first thing to be done would be to surround the base of the monument with a circular row of sawed or hewed piles. The piles, which may be $10'' \times 12''$ or $12'' \times 12''$, should be set in close contact with each other, as sheet-piling, and driven as far as possible into the stratum of sandy and clayey gravel which lies below the water-level. To this end it would be well to start them in the bottom of a trench not less than 8 feet deep. Outside the row of piles and directly against it, a circular wall of hydraulic concrete is to be constructed with its base resting from 2 to 3 feet below the level of the water, thus placing it 15 to 16 feet lower than the bottom of the present foundation. The wall need not exceed 16 to 17 feet in height, leaving the top about 7 feet below the surface of the ground. A thickness of 6 to 7 feet at the top, and 12 to 14 feet at bottom, would suffice. The outer face may be constructed in offsets.

In order to avoid disturbing too much of the soil at one time, the wall for about two-thirds of its height may be built in short sections, omitting every alternate section in the first instance until the others have been carried up to a height of 10 or 11 feet. The earth is then excavated from the omitted sections, and replaced by concrete to the same height. Above this all the concrete may be laid as a single monolith. Every joint between adjacent sections is broken by a projection upon one section, and a corresponding recess in the other; or, instead of this device, large dowel stones may be inserted reaching about one-half their length into each section.

Into the mass of this concrete, thus laid in sections, strong rolled-iron hoops are to be imbedded during the process of construction, possessing sufficient tensile strength, in connection with the inertia of the wall itself, to resist all tendency to lateral displacement of the compressible soil within the area inclosed, under such additional weight as may be placed upon the structure. Five of these iron belts are suggested, with an aggregate sectional area of 90 square inches, that of the lowest one being $2\frac{1}{2}'' \times 12''$, that of the next one $2'' \times 12''$, while the others are each $1'' \times 12''$. Each belt will of course consist of as many links as there are sections of the wall, the connections being made by pins. The upper surfaces of the several sections of concrete, although finished off at the same general level, 4 or 5 feet below the top of the wall, should be left quite rough, with numerous protuberances and depressions; or, what would perhaps be better, large fragments of stone may be partially imbedded in the concrete with about half their depth projecting above the surface, in order to secure a kind of doweled connection with the continuous ring of concrete which forms the top of the wall above that portion laid in sections. It is not deemed necessary to insert iron hoops in this top ring of concrete. It should be made with Portland cement and clean sand, mixed together with a little water after the manner practiced

in making artificial stone. This will doubtless give it sufficient strength to enable it to resist any outward pressure that will be brought against it.

The circular segments of ground between the four sides of the monument foundation and the circumscribing wall should be excavated as deep as shall be deemed compatible with safety, and refilled with concrete of cheap quality.

After the completion of the wall substantially in the manner above described, the base of the monument should be loaded so as to bring a pressure upon the underlying soil, somewhat exceeding that which will be exerted by the completed structure. This loading may be composed of the materials to be used in finishing the work, and it can be piled upon both the inside and outside of the shaft, care being taken on the exterior to tie it well together with timbers and tie-rods. The exterior loading will rise from the steps or offsets of the present foundation, and will have a thickness of $12\frac{1}{2}$ feet at the base of the shaft, on each side.

It may be found possible to so adjust the loading as to restore the shaft to a vertical position. Suitable instrumental observations will indicate when it is proper to commence removing the load, and resume the construction of the shaft.

In order to guard, as far as may be, against increased splitting and spalling in the ashlar facing near the base of the shaft, when work is resumed on the top and additional weight placed thereon, it is recommenced to enlarge to about $\frac{1}{4}$ to $\frac{1}{3}$ of an inch, and to a sufficient depth, all the horizontal joints where spalling has taken place or is to be apprehended, and to omit repointing them until some time after the work is completed.

The estimated aggregate cost of executing the project above described, inclusive of the sheet-piling, the circular wall hooped with iron, the four segments of concrete, the adjustment of the load upon the base, but not its subsequent removal, and the enlargement of the horizontal joints in the lower portion of the shaft, is $55,000.

This includes a moderate amount for superintendence, and contemplates carrying the loading to a height of about 70 feet above the base both inside and outside the shaft, thus adding about 18,200 tons, or 2.85 tons per square foot, to the pressure now exerted upon the soil beneath the structure.

We have the honor to be, very respectfully, your obedient servants,

J. D. KURTZ,
Lieutenant-Colonel of Engineers, Bvt. Col., U. S. A.
J. C. DUANE,
Lieutenant-Colonel of Engineers, Bvt. Brig. Gen., U. S. A.
Q. A. GILLMORE,
Lieutenant Colonel of Engineers, Bvt. Maj. Gen., U. S. A.

P. S.—A sheet of drawings illustrating the project recommended by the board is herewith submitted.

J. D. KURTZ,
Lieutenant-Colonel of Engineers, Senior Member of Board.

DESIGN FOR SECURING

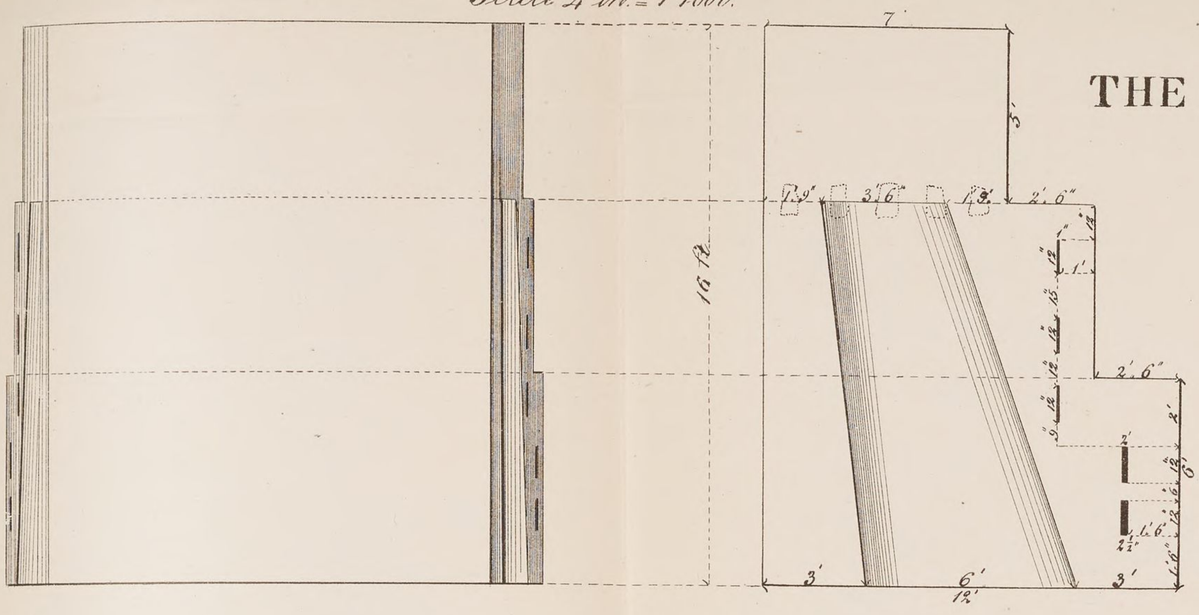
THE FOUNDATION OF THE WASHINGTON MONUMENT

Accompanying our report to the Joint Commission on the construction of this monument, dated June 13, 1877.

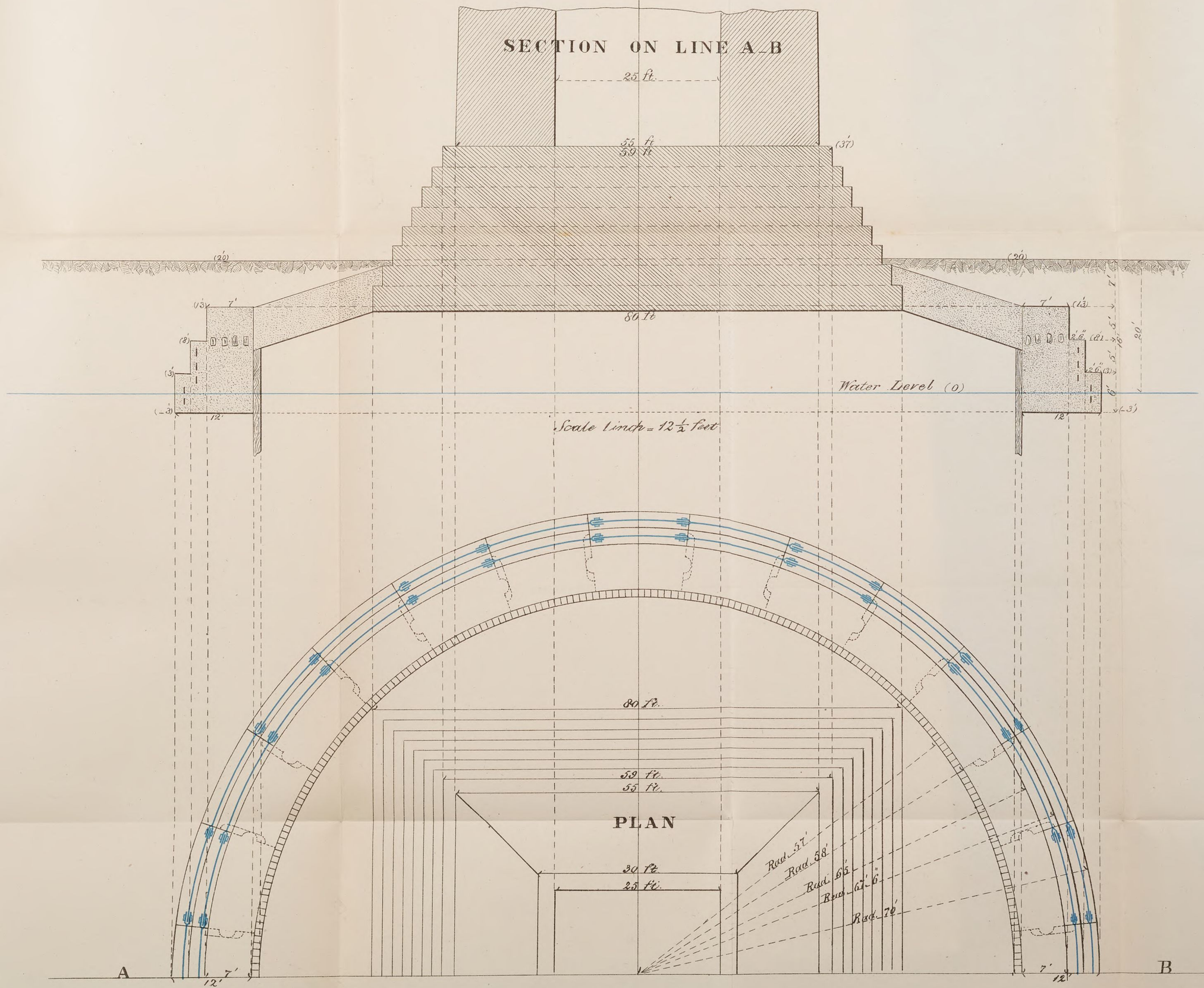
J. D. Kurtz
Lieut. Col. Corps of Engrs U.S.A.
H. L. Abbot
Lieut. Col. Engrs & Bvt Brig. Gen. U.S.A.
Q. A. Gillmore
Lt. Col. Engrs & Bvt Maj. Gen. U.S.A.

Front Elevation of one Wall Section *End Elevation of one Wall Section*

Scale ¼ in. = 1 foot.



SECTION ON LINE A–B



PLAN

D.

REVIEW OF THE REPORT OF THE BOARD OF UNITED STATES ARMY ENGINEERS OF THE FOUNDATION OF THE WASHINGTON NATIONAL MONUMENT, BY THE WASHINGTON NATIONAL MONUMENT SOCIETY.

OFFICE OF THE WASHINGTON
NATIONAL MONUMENT SOCIETY,
Washington, May 31, 1877.

SIR: In pursuance of a resolution of the Washington National Monument Society, I have the honor to transmit to you, herewith, a report of a special committee of the society in relation to the foundation of the monument, which was approved and adopted by the society, and I was instructed respectfully to request you, if in your judgment consistent with propriety, to cause the same to be submitted to the board of engineers who examined the foundation, with a view to a conference between the committee of the society and the engineer board in regard to any difference that may be found to exist between the two reports.

I have the honor to be, very respectfully, your obedient servant,

JNO. B. BLAKE,
Secretary.

His Excellency R. B. HAYES,
President of the United States.

WASHINGTON, D. C., *May* 21, 1877.

To the Washington National Monument Society:

The committee to which was referred the report of the Army Engineer Board detailed to examine the foundation of the Washington Monument, in conformity with the second section of the act of Congress relative thereto, approved August 2, 1876, have carefully examined and considered the same, and after a through analysis (which is herewith submitted and intended as a part of this report) of the preceding reports touching the condition of the structure and its foundation, as well as the underlying soil, in connection with the report, they have come to the conclusion that it is not so exhaustive and satisfactory as to relieve the subject from doubt.

On the contrary, they believe that neither the society nor the country will be contented to rest the abandonment of the monument on a report characterized by palpable errors of statement and at variance with previous reports of equally capable men.

They are aware that no opinions of theirs would have weight on a scientific subject against those of that board; but they think that a commission might be found, composed of civil engineers, whose judgment would be final and accepted.

Should they confirm the report of the Army Engineers, it is presumed it will have to be submitted to Congress for its action.

Should they, however, not confirm the report, it is respectfully submitted that the society recommend to the Joint Commission that they proceed, without further delay, to execute the trust confided to them.

C. H. NICHOLS,
CHAS. F. STANSBURY,
FRED. D. STUART,
Committee.

ANALYTICAL REVIEW ON THE VARIOUS REPORTS OF THE WASHINGTON MONUMENT.

Lieutenant Ives, in his report, August 10, 1859, says: "To those who are aware of the care taken in laying the foundation of the monument, both in the selection and preparation of the bed and in the execution of the masonry work, it will be scarcely necessary to enter into a statement in regard to its present condition. If raised to the height of 600 feet, the weight of the shaft, with the foundation, will be a little more than 70,000 tons. The weight of the portion now built (174 feet high) is more than 40,000 tons," four-sevenths of the whole weight.

He says: "In a recent examination, I was unable to detect any appearance of settling or indication of insecurity."

Mr. Robert Mills, architect of the monument, says (September 15, 1848): "The foundations now preparing to support this lofty shaft" "are built with massive stones of the firmest texture, the blue rock of the Potomac Valley, many of the blocks of which weigh from six to eight tons, and which come out of the quarry in square masses as if cut with the tool, and of varied shapes, so that when laid in the foundation, they allow and are made to dove-tail into each other, forming thereby a stronger mass of masonry than if the same were squared up as in regular masonry. The mortar used in bedding and binding the stones is composed of hydraulic cement and strong stone-lime," "which will become as hard as the stone it binds in a very few weeks. Every crevice of the stone is filled with this mortar and grouted."

"Every precaution was taken to test the under strata where the foundations were laid. A well was dug some little distance, which indicated favorably; the strata were found very compact, requiring a pick to break them up, and at the depth of 20 feet a solid bed of gravel was reached, and 6 feet lower an abundant supply of the finest water was obtained. Though the indications were satisfactory, the architect of the work directed a shaft to be sunk in the center of the foundations, twenty feet below the bottom of the same, and the same results took place as in the case of the well."

Mr. Whittlesey, referring to the character of the earth on which the foundation of the monument stands (letter, January 24, 1853), says: "It was pronounced to be hard, compact, and suitable for a structure of the kind. The earth was excavated 8½ feet for the foundation." "The building committee and the board of managers felt the responsibility of having a safe foundation; and believing that was obtained, they considered they were bound to the contributors to spend no money unnecessarily."

Lieutenant Ives says, at 600 feet, "without taking into consideration the adhesion of the mortar, the weight alone of the structure would offer a resistance nearly eight times greater than the overturning effort of the heaviest tempest to which it would probably ever be exposed." "A hurricane of 100 miles per hour exerts a force of 50 pounds per square foot." (Haswell.)

"The pressure due to the force of the wind is taken at 507 pounds per superficial yard, exceeding 'by one-ninth the velocity of the greatest storm mentioned in the annual of the Bureau of Longitude.'" In regard to the oscillations experienced in high towers during violent storms, Fresnel (an eminent French engineer) says: "All well-observed facts appear to demonstrate that the oscillations impressed by tempests on masonry towers cannot injure those edifices, if they are properly built,

unless they are wanting in stability; that is, unless they could be overturned in mass by the effort of the wind.

Lieutenant Ives says: "The dimensions of the obelisk are: height, 600 feet; breadth at base, 55 feet; at top, 30 feet. The area of one of the faces, 2,833⅓ yards, multiplied by 507 pounds, and this product by the semi-height of the obelisk, will give the moment of the effort of the wind 430,000,000 pounds. The average weight of the masonry may be taken at 170 pounds per cubic foot. The well of the monument is 25 feet square, and the weight of the whole shaft 125,800,000 pounds, which, multiplied by 26 feet (the edge of rotation being assumed 18 inches within the exterior surface, and the lever arm of the resistance, consequently, 18 inches less than the semi-breadth of the base), will give the moment of the resistance 3,270,800,000"; more than seven times the moment of the effort of the wind.

Lieutenant Marshall, in his report (February 19, 1873), referring to the examination of the monument by Lieutenant Ives, in 1859, says: "My examination has failed to show any important changes in the condition of the shaft or the foundation since that time" (a period of fourteen years). "The masonry of the foundation courses is a rubble of blue gneiss. The blocks are generally large, and the work, for this class of masonry, good."

Mr. Carbery, chairman of the building committee of the monument (January 18, 1853), says: "Every prudent precaution was taken before the masonry was commenced to test the sufficiency of the foundation, and no doubt was expressed by any one on the subject. The best architects, builders, and other practical men were called to our aid and consulted about the foundation, and all were satisfied of its sufficiency.

"Eight or ten days before the noble and truly eloquent speech made for us by Mr. Winthrop, at the laying of the corner-stone, we had an assemblage, by invitation, of twelve or fifteen of the most scientific gentlemen we could collect to make the last examination of the foundation. Among the gentlemen was Mr. Mills, architect of the monument; Messrs. Renwick and Cameron, architect and builder of the Smithsonian Institution, &c.

"On this occasion most thorough examinations were made, and every man expressed the fullest confidence in the foundation, and they declared that it could not be better."

January 18, 1853, Mr. Dougherty, superintendent of the monumemt, says: "So far there has not been the slighest settlement in the work that I can perceive; and in proof of that fact I would state that during the past season, when we had reached the height of 116 feet we leveled around the obelisk, and found that it was not an eighth of an inch out of level. In fact, I consider it impossible for any settlement to take place, the foundation being one *solid mass of masonry*, 82 feet square at the base and 25 feet high.

"The monument has been visited during the past season by thousands, and amongst them some eminent architects and engineers, who have expressed themselves perfectly satisfied of the strength of the foundation to sustain any weight which can be placed upon it. Had there been any tendency to settle, the joints of the foundation would be the first to show it. I have repeatedly examined them, and cannot see the least sign of a crack."

Lieutenant Marshall says: "The upper course of the foundation, upon which the obelisk rests, was carefully leveled under my supervision," and showed "a gradual inclination from southeast to northwest; but as the entire variation from the true level is only six-tenths of an inch, and

the course was originally, in all probability, leveled with an ordinary mason's level, it *cannot be assumed* that this shows any unequal settling in the foundation beds. On the contrary, it is much more nearly horizontal than could be expected in such rough masonry."

He says: "The weight of that portion of the shaft already completed approximates 58,705,000 pounds, and of the foundation itself, 21,565,800 pounds. The bed of the foundation has therefore borne for 18 years, without signs of weakness or failure, the weight of 80,270,800 pounds; and while there is no apparent reason to believe that it will not bear the additional weight of 67,095,000 yet to be placed upon it, there is only negative proof of its security." That being the case, he, Lieutenant M., suggests a thorough examination of the nature of the subsoil and capacity to resist compression. Lieutenant Marshall, in his report, further states that "the weight of the entire shaft, if reared to the full height of 600 feet, allowing 170 pounds to the cubic foot of masonry, will be 125,800,000 pounds, bearing upon a base of 2,400 square feet. The pressure is, therefore, about twenty-six tons per superficial foot, or less than one-eleventh of the crushing weight, supposing that the strength of the material does not exceed that of ordinary sandstone for building purposes."

[NOTE.—It has been ascertained by careful computations, recently made, that the present weight of the foundation of the monument is 18,323,468 pounds, at 148⅛ pounds to the cubic foot; that the shaft, as it stands, weighs 52,093,838 pounds; total 70,417,306 pounds, bearing on the base 82 by 82 feet, or 6,724 superficial feet, being 10,472 pounds per square foot, nearly, or 4.7 tons (of 2,240 pounds to the ton) on each square foot. The 311 feet yet to be constructed will weigh 49,156,352 pounds, at 144 pounds to the cubic foot, adding to the weight on the earth 7,310 pounds to each square foot, or 3.22 tons, making the total weight 7.92 tons. Taking the structure as it now stands at the weight given by Lieutenant Marshall, 80,270,800 pounds, or 11,939 pounds to the square foot, gives 5.33 tons to each square foot, to which add the estimated weight (recent computation) of the part yet to be completed, 311 feet, will give 3.22 tons additional on each square foot; total weight 8.55 tons to the square foot. The total weight which will bear upon the foundation (2,400 square feet) at the base of the obelisk when the monument is completed 101,250,190 pounds instead of 125,800,000 given by Lieutenant Marshall, and instead of 26 tons per superficial foot only 18.8 tons' pressure on the superficial foot. (All ton-measurements are 2,240 pounds.)

If the thickness of the walls above the portion now built be reduced and brick be used for the filling, as suggested by Lieutenant Marshall, there will be, of course, a proportionate reduction of weight on the foundation and underlying earth.]

"All questions as to the stability of the shaft itself have been answered by Lieutenant Ives, in whose conclusions I concur."

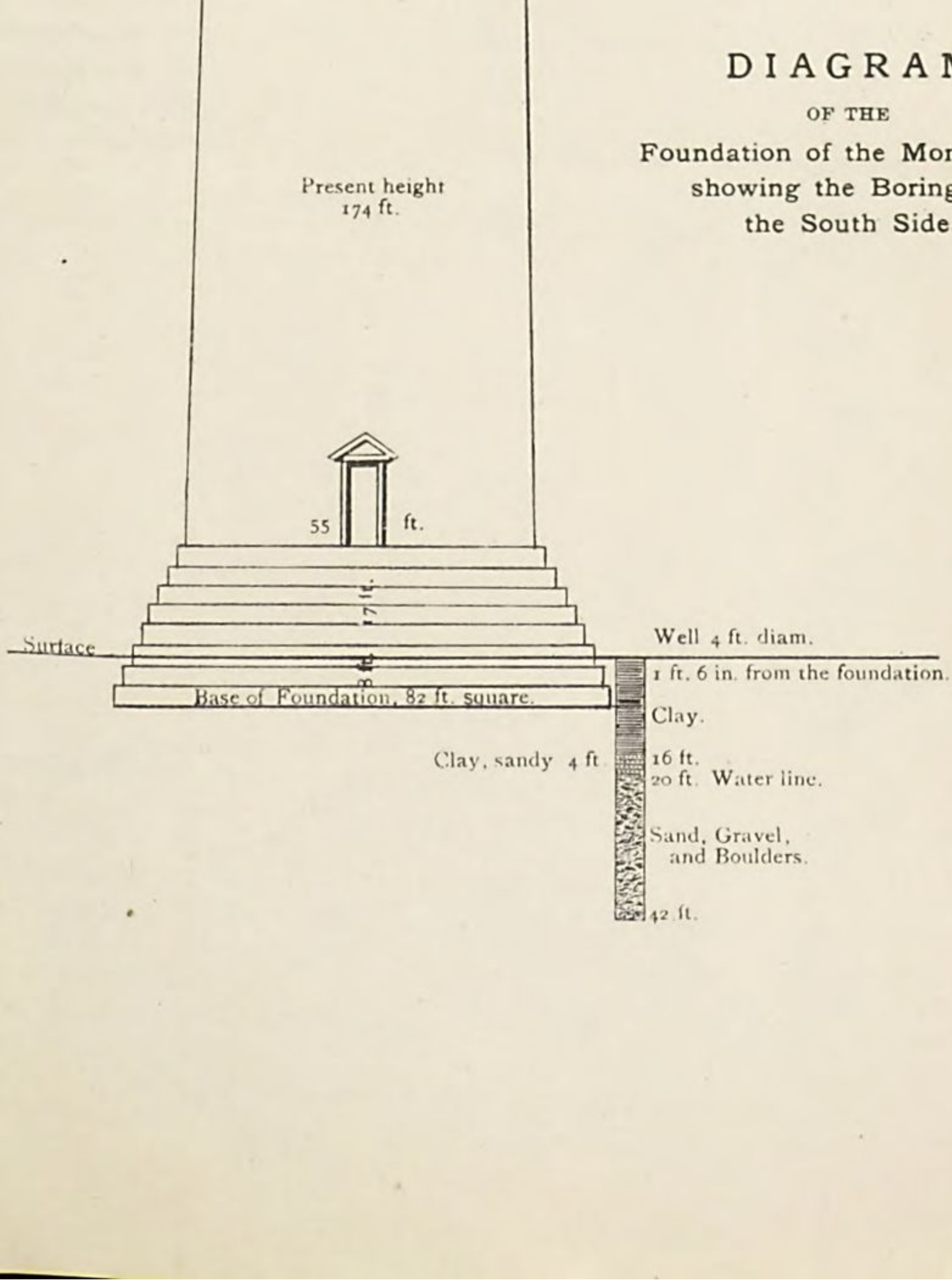
Lieutenant Marshall having been called upon again (an evidence of confidence in his scientific knowledge and good judgment), in a report, April 20, 1874, says: "In regard to the first inquiry, 'Does the unfinished shaft of the Washington Monument disclose any grounds for doubting the security of its foundation?'

"A careful instrumental survey, and a projection of the upper and lower courses of the shaft, as it stands, were made to determine the amount, if any, of its deflection from the vertical. The base of the foundation was laid bare and examined throughout the entire length of one side, and excavations made to determine the character of the soil underlying the structure." The examination was but a verification of the conclusions of Lieutenant Ives, 1859, and of his own (Lieutenant M.'s) made a year previous, to wit, that the axis of the shaft is inclined, so that its top is deflected 1.4 inches to the north. Lieutenant M. says, "that in February last (1873) the foundation courses were found, by leveling, to be depressed sixth-tenths of an inch to the northwest, which would indicate a deflection at the top of the axis of that portion of the shaft now completed of about 1.6 inches. The near agree-

DIAGRAM

OF THE

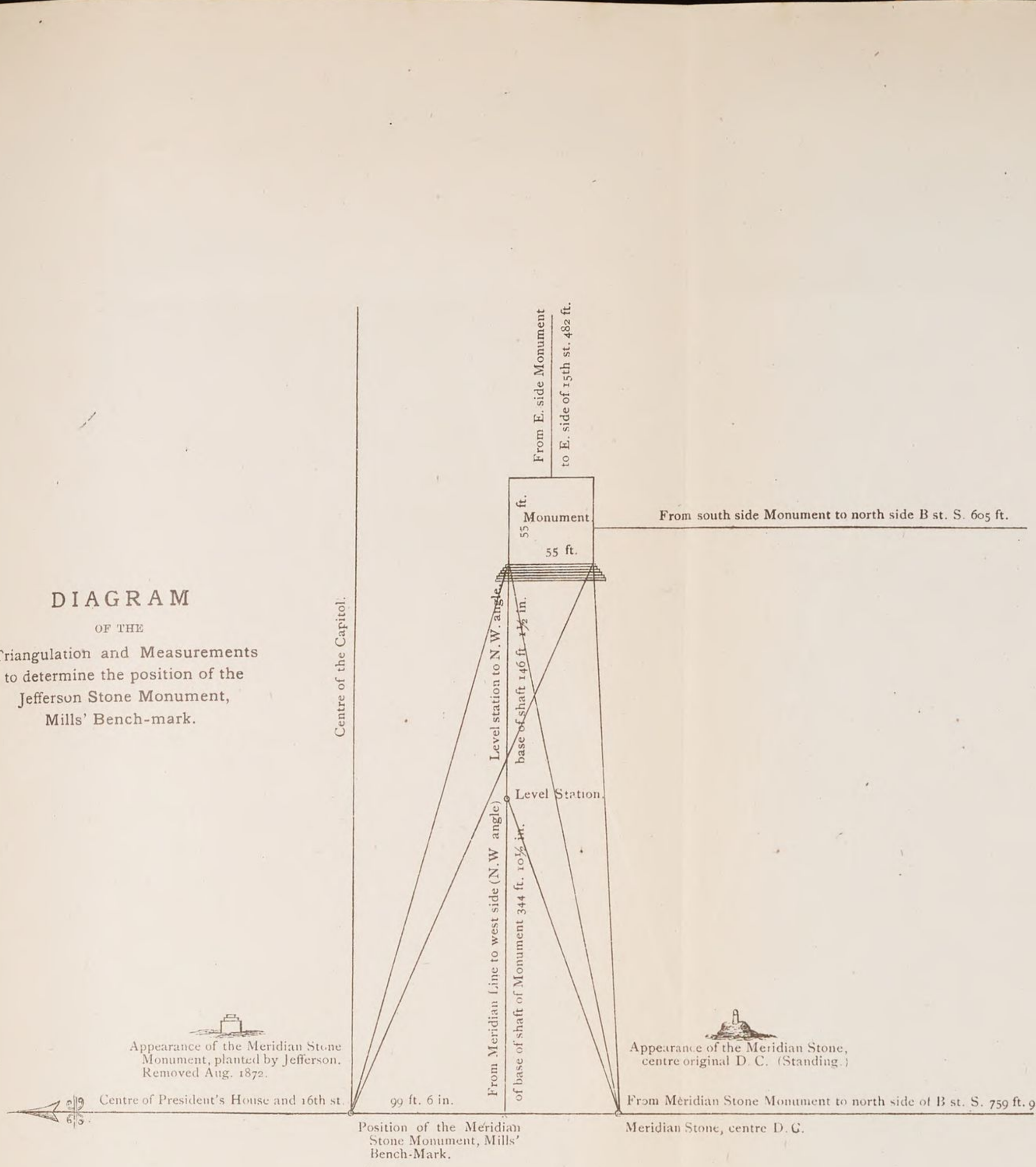
Foundation of the Monument, showing the Boring on the South Side.



DIAGRAM

OF THE

Triangulation and Measurements
to determine the position of the
Jefferson Stone Monument,
Mills' Bench-mark.



ment of these measurements in every respect sufficiently attests their accuracy.

"The depression at the foundation seems, as previously reported, to be perfectly gradual from southeast to northwest, and is as small in amount as could be expected in the case of a heavy structure founded upon ordinary loam, such as underlies this monument. In fact (he says), the course at the base of the foundation, which would first show the effects of local settlement, shows no cracks, separation of joints, &c, but is as solid, and the mortar joints as sound, as when first laid, showing no evidence whatever of weakness or of unequal strains. As far as can be discovered, in a careful examination of the structure, there are no sufficient grounds for doubting the security of the foundation under its present load;" he (Lieutenant M.) having previously asserted that, "when completed to the height of 600 feet, the pressure on the masonry would be less than one-eleventh of the crushing weight," &c.

In answer to the question, "Can the shaft be completed in accordance with the present plans with perfect safety?" Lieutenant M. discusses the subject, and concludes: "From which we find that the stability of the shaft, at its joint of least stability, is 7.4 greater than necessary to insure safety, which result compares favorably with the estimated stability of other similar structures." In regard to the stability of the foundation, Lieutenant Marshall further says: "Sufficient is known however, from wells dug in the monument lot, to justify the assertion that there is no reason for apprehending that the earth is not firm for a sufficient depth to afford a good foundation for the heaviest of structures, provided sufficient spread be given to the foundation, and proper measures be taken to insure a uniform distribution of pressure."

It is not deemed necessary to more than refer to the fact that Lieutenant Marshall, for reasons assigned (notwithstanding what he had said in regard to the result of his examinations of the foundation and shaft), suggests that the height of the monument be reduced to 437.8 feet, and, in that connection, to allude to the fact that the society, with all the light given by Lieutenants Ives and Marshall, determined that the height of the obelisk shall be 485 feet, availing of some of the suggestions of Lieutenant Marshall as to the thickness of walls, filling, &c.

Lieutenant Marshall, again, in a report July 6, 1874, says: "It is my opinion—justified by the fact that the earth foundation will be stable, theoretically, under the pressure to which it will be subjected, which stability will still further be increased by the conjugate pressure due the mass of earth, or terrace, still to be placed at the base of the shaft—that it can be built to the height of 400 feet (at any rate) with safety."

It appears that the reports of Lieutenant Marshall were referred to the Board of Engineers for Fortifications for consideration, &c., and that said board, with Lieutenant Marshall's data before them, did not arrive at his conclusions, and reported accordingly.

They said: "We could not, therefore, *with the information before us*, recommend that any *additional* pressure should be thrown on the site of the Washington Monument." And in this view General Humphreys, Chief of Engineers, concurred.

The act of Congress, approved August 2, 1876, again subjected the foundation of the monument to examination, and Army officers were selected for the purpose, and their report turns out to be unfavorable, much to the surprise of "those who are aware of the care which was taken in laying the foundation of the monument, both in the selection and preparation of the bed and in the execution of the masonry-work," and, indeed, to the whole country.

The great scientific attainments of this last examining board will not be questioned; and it would be an insult to suggest a doubt as to their fitness to perform the duty assigned to them, and their strict integrity in rendering a report of the result of their examination. But men of science, of practical knowledge, of vast experience in such matters, *not biased in any way*, are of the opinion that the Army engineer board have made a mistake. In the first place, the responsible men did not, it is believed, give the matter of examination their personal attention. They were required to meet in Washington by the special order detailing them for the service, and to examine and report as to the foundation of the monument. So far as is understood by the Monument Society, they only visited the monument two or three times at the furthest, and did not remain more than an hour, if so long. The boring was intrusted to a party, no doubt capable and reliable (accompanying this report is a diagram, showing the deepest boring and the character of the boring from the surface to the depth of 42 feet [A]), and the determination of the perpendicularity of the structure devolved upon a second lieutenant United States Engineers, D. C. Kingman. The examining board, referring to the result of Lieutenant Kingman's observations, says: "The instrumental measurements and calculations, carefully made (by that officer), show that the shaft now leans slightly toward the north, the departure of the axis from a vertical line through the center of the base being one and nine hundredths (1.09) inches at the top of the structure (less than the deflection given by Lieutenant Marshall, viz, 1.6 inches). The foundation courses have little more than the corresponding dip in the same direction," which would give the monument an inclination (at the top, in the same direction) 1.82 inches. They further say: "It was also ascertained from a bench-mark established November 7, 1848 (should be November 1), by Mr. Robert Mills, architect, who was at that time in charge of the construction of the work, that the monument had settled *bodily* eight and eighty-two hundredths (8.82) inches at the *northwest angle.*"

Lieutenant K. gives the data from which he deduces the figures, as he does also his measurements and instrumental observations, for determining the verticalness of the structure. He admits that some of his observations "cannot be depended upon as absolutely correct, on account of the coarse graduation of my (his) altitude instrument," and the same might have been said (judging from the results) in regard to other measurements, not to mention probable personal errors, which, combined, would make some difference in the result of the calculations to determine the inclination of a structure 174 feet high, narrowing at the top, which had been pronounced by two skillful officers of the Army to deviate only 1.6 inches at the top from the vertical.

Lieutenant K. says (so say the examining board), "the monument had settled *bodily* 8.82 inches at the northwest angle." How settled *bodily* at the northwest angle is the question. "Bodily" means the whole structure, and at the northwest angle means only at that point. And this conclusion he (Lieutenant K.) arrived at, by means of a bench-mark referred to by him, and from which he ran a line to a particular course or step of the foundation of the monument. But the misfortune is Lieutenant K. was by no means sure that he had found the point in the foundation, used by Mr. Mills, from which to run the line to the bench-mark. He (Lieutenant K., was of the opinion that the top of No. 4 was the proper step or course, while he admits himself that the record (he being in possession of it) gives the top of the third course as the one from

which the original level-line was run to the bench-mark. He says: "The bench-mark was found and the line rerun."

The record shows that the bench referred to by Mr. Mills was at a point on a line running directly south from the President's House, which is identical with the meridian-line of the District of Columbia, and is fixed or designated by a stone, still standing, at a point said to be the center of the original District of Columbia.

Lieutenant Kingman took this last-named stone as the bench-mark, and run a line (of levels) from it to the top of the fourth course or step of the foundation of the monument, instead of the top of the *third* course or step, which Mr. Mills distinctly stated in his report dated November 1, 1848 (a copy of which Lieutenant K. had), was the point from which he fixed or established the relation between the foundation of the monument and the bench-mark for future reference.

Now the fact is the bench-mark alluded to by Mr. Mills, a stone structure was located (as stated on the said meridian-line passing directly through the center of the President's House at a point due west from the center of the Capitol, the said point being at an angle of about 16°00′ from the west toward the north, from the northwest angle of the base of the shaft of the monument, and distant from it about 359 feet. This stone structure was planted there by President Jefferson, and was removed about August 1, 1872.

(The distance from the west side of the shaft of the monument to the meridian-line just described is 344 feet 10½ inches.)

A plotting from observations recently made to establish the position of the bench-mark used by Mr. Mills is herewith submitted (B). As there can be but little doubt that Lieutenant Kingman made a mistake in reference to the bench-mark, which led him to ignore Mr. Mills and take the top of the fourth course instead of the top of the third course of the foundation from which to run a line to the bench, resulting in the assertion that the monument had settled bodily 8.82 inches, it is respectfully submitted that his observations amount to nothing, and his results are worthless. A line of levels recently run from the meridian-stone to the monument does not verify the results given by Lieutenant Kingman. But supposing the monument has sunk 8.82 inches, which is denied, it is clear that it has done so without a rent or the rupture of a seam. A few of the marble blocks have cracked transversely, but the work of the foundation stands as it did in 1853, and, it will be admitted on firmer and more solid ground than before the subsidence, the earth directly underneath having become compressed (so the examining board say) to the extent of nearly nine inches; and, if so, this can be verified at no great expense, and should have been done while the examination of the foundation was in progress, especially as the excavation on the south side is not more than 18 inches from the base of the foundation. The examining board, in a lengthy report, have attempted to show that the earth on which the monument stands is not of a character to sustain the weight of the contemplated structure; that "the borings show *quite conclusively* that the structure rests upon a compressible bed composed of fine sand and clay," &c.

They say "that the stratum of sand and clay upon which the monument rests is already loaded to the limit of prudence, if not, indeed, to the limit of safety;" "that additional weight imposed at the top of the structure would, in all probability, cause additional and possibly extensive spalling and splitting in the ashlar facing near the base;" that "it is evident that the masonry foundation was not given spread enough to carry safely the weight it *was* designed to place upon it;" that

"there has been actual compression of the soil to the extent of between 8 and 9 inches, the shaft is *sensibly* out of plumb, and the foundation courses show increasing departure from horizontality."

[NOTE.—In the opinion of the committee, the borings do not show "quite conclusively" that the structure rests upon a compressible bed, composed of fine sand and clay. The facts are that the foundation rests on solid, compact clay, that could only be removed with a pick; that from the surface the stratum of clay extended downward 16 feet; then a compact arenaceous deposit 4 feet thick was reached, and below that sand, gravel, and bowlders to the depth of 22 feet (as far as was excavated).

The excavation for the foundation was 8 feet deep, through compact clay, leaving 8 feet clay between the masonry and the sand and clay beneath it, 4 feet deep, resting on bowlders, sand, and gravel, which could not be compressed enough to cause the monument to settle more than 2 inches; still, it is said that it has settled 8.82—an impoibssility, almost, under the circumstances.

This part of the report of the examining board should be carefully examined and criticised by competent men, with the actual results of the borings before them, or new excavations made. The committee think that if there was any probability of the monument deflecting from a vertical, one way or the other, or that it has deflected, no more certain course could be adopted to increase the deflection than by leaving the openings—four feet in diameter—open, one on each side of the structure, three of them within seven feet of the base of the foundation, at least 12 feet below it, and the other on the south side, within 1½ feet of the monument, and upward of 30 feet below the foundation.]

The report is at variance with previous reports, and with nearly all the facts and information in possession of the Monument Society; and, besides, it enters into the discussion of matters not referred to the examining board. They were to report upon the sufficiency or insufficiency of the foundation (that is, the earth on which the monument stands) to sustain the weight of the contemplated structure. With the shaft, the character of the material of which it is constructed, and its perpendicularity, they had nothing to do. Lieutenant Marshall twice (1873–'74) determined these questions, and he corroborated the statement made by Lieutenant Ives in 1859.

The first reason for reporting against proceeding with the construction of the monument, if admitted to be true, may be good; but the people of the country, who are so anxious for a speedy completion of the monument, will not be satisfied until a more thorough examination is made by a competent board of practical civil engineers.

The second reason is answering a question which was not submitted to them, and, at least, is but conjectural.

The third reason, if it possesses any force, the difficulty suggested can be remedied by underpinning the foundation and enlarging its area, without injury to the structure as it stands.

It is suggested that, *if deemed necessary*, the stability of the monument may be increased to almost any extent by a system of underpinning, propping, and extending the area of the foundation in the manner indicated in the accompanying diagram (C), and at a cost but little more than has been estimated to raise a terrace 200 feet square around the base of the structure.

In all probability the earth under the foundation has been compressed as much as it will ever be, and the only change that is likely (and not very) to take place is the spreading of the sandy stratum immediately under the clay, and that can be prevented by the means above indicated, and not endanger the safety of the structure in the operation, which should (as above said), if deemed necessary at all, be done at once.

The fourth reason rests upon data, as has been shown, entirely erroneous.

The shaft is not *sensibly out of plumb*. It required the use of very delicate instruments and an expert to handle them to discover a devia-

tion of the shaft from the vertical of only *one inch and six-tenths* at the top stone (174 feet high), which may have resulted from slight imperfections in the masonry, and cannot properly be ascribed to any want of strength in the foundation.

E.

WASHINGTON NATIONAL MONUMENT OFFICE,
Washington, October 11, 1877.

SIR: I have carefully examined the bundle of papers in relation to the Washington National Monument which you were pleased to intrust to me for that purpose. The only papers among them which I had not before seen were the report of the board of Army engineers, recommending plans for giving additional spread to the foundation of the monument, and Colonel Kurtz's remarks upon the plan of Mr. Dutton for testing the compressibility of the earth under the monument.

The board of Army engineers recommend two plans: The first, to replace with solid masonry the bed of the compressible clay and sand which underlies the base of the monument; and the second, by circumscribing it with a wall possessing sufficient depth and stability to resist any lateral movement of the soil under the additional weight that may be placed upon the structure during the process of its completion. The first plan the board abandons because of the delicate character of the operation and the uncertainty of its affording entire satisfaction when completed. The second plan, of a circumscribing wall, is strongly recommended, and an estimate of $55,000 is made of its cost. Colonel Kurtz states that Mr. Dutton's plan is practicable and useful; but that experiments made with plates of increasing sizes would result only in affording an approximation to the sustaining power of the soil under the monument, which would scarcely be worth the expense. In his judgment the plan proposed by the board of engineer officers, in their report on the practicability and cost of strengthening the foundation, is the safe method of obtaining the desired result. That, he thinks, is a sure plan, and as nearly conclusive as it is possible to make the test.

The Monument Society, while not professing to have any scientific knowledge upon the subject, do not concur in the results of the examination of the stability of the foundation made by the board of engineers detailed for that purpose, nor does it approve of the remedies they propose.

Since the report of the board of engineers it has been discovered that the wrong stone was taken for the bench-mark, which led to the conclusion that the monument had settled bodily eight and eighty-two hundredths (8.82) inches at the northwest angle. This discovery was on the production from the State Department of a report made to President Jefferson, in 1804, by Nicholas King, who was charged with the demarkation of the first meridian-line of the United States. There is now no ascertained evidence of the slightest subsidence of the monument, and of but slight deflection from the vertical.

Lieut. I. C. Ives, of the United States Topographical Engineers, in 1859, made a report in regard to the condition of the monument, from which I extract the following remarks:

> For five years, therefore, during which the work has been suspended, the foundation has been bearing four-sevenths of the pressure that it will ultimately be required to sustain, and, in a recent examination, I was unable to detect any appearance or indication of insecurity.

In 1873, Lieutenant Marshall, United States Engineers, was detailed to examine the foundation of the monument, and in his report of that year, dated February 19, he states :

As the entire variation from the true level is only six-tenths of an inch, and the course was originally, in all probability, leveled with an ordinary mason's level, it cannot be assumed that this shows any unequal settling in the foundation-beds. On the contrary, it is much more nearly horizontal than could be expected in such rough masonry.

The same officer, in a report dated April 20, 1874, remarks :

This examination resulted in showing that the axis of the shaft is inclined so that its top is deflected 1.4 inches to the northwest. In February last, the upper foundation-courses was found, by leveling, to be depressed six-tenths of an inch to the northwest, which would indicate a deflection at the top of the axis of that portion of the shaft now completed of about 1.6 inches. The foundation-courses exhibit a few cracked stones near the base of the shaft. These seem to be directly due to pressure brought to bear upon imperfect bearing surfaces, and not to unequal settlement. The depression at the foundation seems, as previously reported, to be perfectly gradual from southeast to northwest, and is as small in amount as could be expected in the case of a heavy structure founded upon ordinary loam, such as underlies the monument. In fact the course at the base of the foundation, which would first show the effects of local settlement, shows no cracks, separation of joints, &c., but is as solid and the mortar joints as sound as when first laid, showing no evidence whatever of weakness or unequal strains.

In regard to the analysis of the earth taken from the borings on each side of the monument, I have nothing to say, further than that it does not appear to me to have been made under circumstances calculated to show the true nature of the character of the soil and its ability to sustain a heavy weight. Be that as it may, I offset the conclusions of the engineer board with the fact, that is patent to all who have observed the monument, that during the last 20 years it has stood finished to its present height without any evidence of subsidence or of deflection from the vertical that is visible to the naked eye, or can be palpably detected by the use of the most delicate instruments. The first assault made upon the monument was by architects, who found great fault with the plan and denounced it as inappropriate and heathenish, and urged that it should be taken down and some more characteristic and ornate monument erected in its place. Finding that they did not meet with any encouragement from the people of the country, they abandoned this objection and directed their assaults against its location. Meeting with no more favor in regard to this objection, they assailed the foundation of the monument, asserting that it was unstable and would not sustain the superstructure that was intended to be placed upon it, and in this they have been foiled in every attempt to establish the truth of their assertions.

Two hundred and thirty thousand dollars of the people's money, by voluntary subscriptions, have been expended in the erection of the monument to its present height, 174 feet, with their full knowledge and approval of the plan, and they will not tolerate any attempt to abandon it. As the board of engineers detailed to examine and report as to the foundation of the monument has not been able to establish any fact prejudicial to it, the inference is just, in accordance with previous reports of other engineers on the same subject, that it is sufficient to sustain the weight of the contemplated structure.

Any sanction by the Executive of the impression that has been attempted to be made, that the foundation is insufficient by recommending to Congress that provision be made for strengthening it, would, I respectfully submit, lead to an interminable dispute between the advo-

cates and opponents of the monument, which would result in defeating the patrotic intention of the last Congress.

Herewith I return the papers received from you.

I have the honor to be, very respectfully, your obedient servant,

JNO. B. BLAKE,
Secretary.

His Excellency R. B. HAYES,
President of the United States.

F.

WILLETS POINT, NEW YORK HARBOR,
September 24, 1877.

SIR: I have the honor to report the following concerning my search for the so-called "Jefferson Meridian Stone." I find, in the first place, by instrumental measurements, that the stone used as a bench-mark last winter in ascertaining the amount of settlement of the Washington Monument is situated upon a north and south line through the center of the President's House, but *not* upon an exact east and west line through the center of the Capitol, it being about 175 feet south of their intersection. At the intersection of these two lines I caused an excavation to be made, and at the depth of about 5.65 feet we came upon a mass of stone and mortar, which I believe to be the foundation of the meridian-stone. The ground at this point is 13.730 feet lower than the top of the stone used as a bench last winter, or 16.860 feet below the first course of the foundation of the Washington Monument visible above ground. The top of the masonry foundation disclosed by excavation was 22.510 feet below this course or step. I am informed, by the men who had charge of the work at the time, that the pier was broken down and carried away during the year 1872. The cap-stone of the pier was said to have been seen at a comparatively recent time in some distant part of the city, but as it was also said, by people who remember it well, to have had no figures or number of any kind upon it, I did not attempt to recover it. It is not possible to reconstruct the meridian-stone from any data that I have been able to obtain; nor was I able, after a most diligent search, to find any record either of the height of the structure or of any line of levels having been run from it to any point, except to the monument—the record of Mr. Mills.

I am, sir, very respectfully, your obedient servant,

DAN. C. KINGMAN,
Second Lieutenant, Corps of Engineers.

General Q. A. GILLMORE,
Corps of Engineers.

WILLETS POINT, NEW YORK HARBOR,
October 2, 1877.

GENERAL: In compliance with instructions received from you I visited Washington to ascertain whether the Jefferson meridian stone had been used as a bench-mark in the surveys for the Washington Aqueduct, as suggested by General Meigs in his letter to the Chief of Engineers, dated Washington, D. C., September 20, 1877. I am unable to find

any record of its having been used for this purpose. An examination of the record shows that the bench-marks used were situated elsewhere.

After a long and careful search, I am of the opinion that it is impossible to ascertain the amount of absolute settlement of the Washington Monument.

Very respectfully, your obedient servant,

DAN. C. KINGMAN,
Second Lieutenant, Corps of Engineers.

Lieut. Col. Q. A. GILLMORE,
Corps of Engineers, Bvt. Maj. Gen., U. S. A.

UNITED STATES COAST-SURVEY OFFICE,
Washington, September 13, 1877.

DEAR SIR: I find no reference in the Coast-Survey records to the Jefferson meridian stone as a bench-mark, or as a position, the height of which has been determined. Upon one of the original sheets of the survey of the Potomac a stone is marked as the center-stone of the District, which, from its position near the monument and closeness to the intersection of "a north and south line through the President's House, and an east and west line through the center of the Capitol," may be the Jefferson stone. This survey was made in 1867, and the chart is open to your inspection at any time.

Yours, respectfully,

EDWARD GOODFELLOW,
Assistant, United States Coast Survey, for Assistant in Charge.

Lieut. D. C. KINGMAN,
United States Engineers, Ebbitt House.

G.

WASHINGTON, D. C., *October* 20, 1877.

SIR: As it has been stated that the soil on which the Washington National Monument stands is not sufficiently firm to sustain the structure when carried to the altitude contemplated, 485 feet, I take the liberty of submitting, for the consideration of the commissioners, a plan for increasing the stability of the monument by effectually preventing any spread of the soil, of whatever character, under and immediately surrounding the foundation.

It is suggested that both the intrados and extrados of the arches, as per plan, be constructed of arch-brick laid in cement, the intrados to be not less than 36 inches thick, the extrados 18 inches thick, the space between to be constructed of blue gneiss laid in cement, the abutments to be constructed of the same material, in cement.

The work can be done in sections, and at no time need there be excavations made that would be likely to endanger the security of the structure.

Very respectfully,

FRED. D. STUART.

Hon. W. W. CORCORAN,
President Board of Commissioners appointed by Congress to complete the Washington National Monument.

WASHINGTON, D. C., *November* 3, 1877.

SIR: On the 20th of October I had the honor to submit, for the consideration of the board of commissioners, of which you are president, a plan for increasing the stability of the monument (perhaps I should have said the foundation) should it be deemed necessary.

As one other plan, at least, has been suggested, with an estimate of the probable cost of the work, I think it proper to inform you that the expense of executing the work, according to the plan presented by me, will not exceed $36,000, including excavation, stone, brick, cement, and labor; estimate based upon present prices of material and labor.

Very respectfully, your obedient servant,

FRED. D. STUART.

Hon. W. W. CORCORAN,
President Board of Commissioners appointed by Congress to complete the Washington National Monument.

H.

OFFICE OF C. S. DUTTON & CO.,
Seventh and G Streets, Washington, D. C., June 21, 1877.

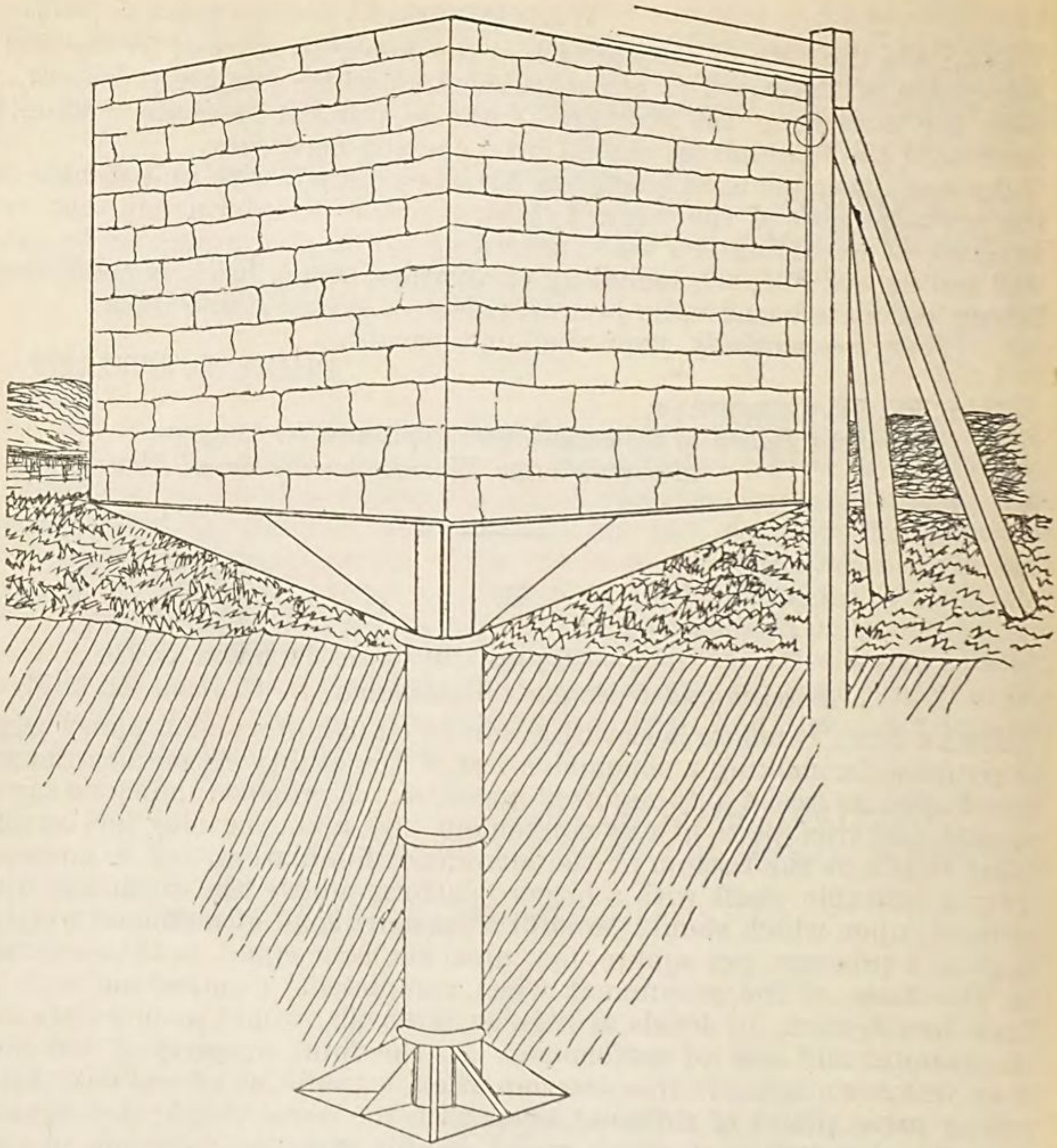
DEAR SIR: I inclose herewith a sketch explanatory of a plan I wish to propose for making a conclusive test of the ability of the monument-foundation to resist any required pressure. I propose simply to lay a square cast-iron plate of any convenient size upon the clay bed at the same depth as the bottom of the monument-foundation, and to connect it by a suitable shaft with a larger platform above the surface of the ground, upon which should be built a masonry load of sufficient weight to give a pressure per square foot upon the base equal to that exerted by the base of the monument when completed. Comparison with a fixed bench-mark, by levels at regular intervals, would soon determine the amount and rate of settlement. As the fluid property of the clay is an unknown factor in this determination, it would be advisable to load two or more plates of different areas with the same weight per square foot, the observation of which would readily give the variation in stability due to difference of areas.

To illustrate the practicability of this plan: To load a plate 3 feet square with 10 tons per square foot would require 90 tons of masonry, which, at 160 lbs. per cubic foot, would occupy 1,125 cubic feet, and if built upon a platform 10 feet square would be only $11\frac{1}{4}$ feet high. An experiment of this kind would not be expensive, and would settle the question of the stability of the Washington Monument beyond all doubt, besides furnishing valuable data on the subject of foundations to the inquiring world at large.

Respectfully submitted by—

C. SEYMOUR DUTTON,
Civil Engineer.

Dr. JOHN B. BLAKE,
Secretary Washington National Monument Association.



WASHINGTON, D. C., *July* 3, 1877.

To the Washington National Monument Association, Dr. John B. Blake, Secretary:

A few days since I submitted a cursory outline of a plan for conclusively testing the strength of the monument foundations, and would like at this time to say a few words further on that subject. That the commission whose report upon the subject was recently promulgated most signally failed to faithfully perform the duty assigned them, is plainly evident from the very able review of that document by your own committee. In the face of the well-known desire of the American people for the completion of this structure, and of the fact that an unusually economical Congress had appropriated money for its continuance, the commission not only did not give the matter their personal attention to any extent, but intrusted the instrumental determinations to a young and wholly inexperienced officer, whose guesses and blunders they reported as facts within their own knowledge. Their experiments upon

the compressibility of the clay are of no practical value in this case, because made under entirely different circumstances from those which exist in the unbroken strata underneath the monument. It is also well-known that the stability of a heavily-loaded clay foundation frequently depends quite as much upon the character of the underlying strata as upon its own consistence. Now, while the worthlessness of the report in question has been abundantly shown, as before remarked, on the other hand, the absolute safety of the foundation has not yet been positively proved, and in that respect the matter remains very much as before, except that the names of the distinguished officers composing the commission will carry some weight with many people who will not take the trouble to investigate the subject.

The committee, in the review referred to, have indicated the perfect feasibility of underpinning and strengthening the foundation to any extent, should it be deemed necessary. But it would seem hardly advisable to expend the money necessary for so delicate an operation if there be a reasonable prospect of establishing its present condition as sufficiently stable. It is to settle conclusively just this point that my plan is proposed.

The idea, you will observe, is simply to test the supporting power of the clay stratum right there in its natural bed, just as it exists under the monument, and to do so at a very trifling expense. A variety of devices for accumulating the necessary pressure suggest themselves, such as a lever, or system of levers, hydraulic power, platforms loaded with cheap material, &c.

I need not, however, at present discuss details which present no especial difficulties.

I feel a deep personal interest in the completion of this monument upon the original design of a simple shaft, and as I am unable from a professional point of view to see any serious practical difficulty in its way, allow me sincerely to express the hope that you may speedily be able to overcome all technical obstructions and to proceed with the work.

Very truly,

C. SEYMOUR DUTTON,
Civil Engineer.

WASHINGTON MONUMENT OFFICE,
July 6, 1877.

SIR: I am directed by the Monument Society to furnish you with the following copy of the resolution which was adopted at its meeting yesterday:

Resolved, That copies of the communications to the society from C. S. Dutton, civil engineer, dated June 21, and July 3, upon the subject of testing the compressibility of soil, be sent to the President of the United States, with a request that the joint commission may institute experiments to test the efficiency of his method of ascertaining the compressibility of the soil about the monument; and that he be further respectfully requested to call the attention of the commission to the necessity of having the wells, recently excavated near the monument, properly and promptly filled, as it is apprehended from the heavy rains we have recently had that serious injury may be done to the monument by suffering them to remain in their present condition.

I herewith transmit to you copies of the communications of Mr. Dutton.

I have the honor to be, very respectfully, your obedient servant,

JNO. B. BLAKE,
Secretary.

His Excellency R. B. HAYES,
President of the United States.

[First indorsement.]

The accompanying papers are respectfully referred to Lieut. Col. J. D. Kurtz, senior member of the Board of Engineers, for remark.

By direction of the president of the joint commission.

O. L. PRUDEN, *Assistant Secretary.*

EXECUTIVE MANSION, *Washington, July* 11, 1877.

[Second indorsement.]

UNITED STATES ENGINEER OFFICE,
Philadelphia, Pa., July 13, 1877.

Respectfully returned to the Executive Mansion, Washington, D. C.

Such devices as the one suggested by Mr. Dutton for ascertaining the supporting capacity of soils are practicable and useful. The value of the particular trial made will depend largely upon the size of the iron plate used. If it be so small as three feet square its indications will not be of much use. If several experiments be made with plates of increasing sizes, it will be practicable to construct a series from the results which will afford an approximation to the sustaining power of the soil under the monument. But this approximation will scarcely be worth the expense.

The safe method of obtaining the desired result is the one proposed by the Board of Engineer Officers in their report on the practicability and cost of strengthening the monument foundation. That is, to load the foundation of the monument itself with material to the full weight that it may be desired to build into the structure. This is a sure plan, and as nearly *conclusive* as it is possible to make the test. This method is constantly employed where circumstances will permit, and it commends itself at once to the judgment.

J. D. KURTZ,
Lieutenant-Colonel of Engineers, Senior Member of the Board.

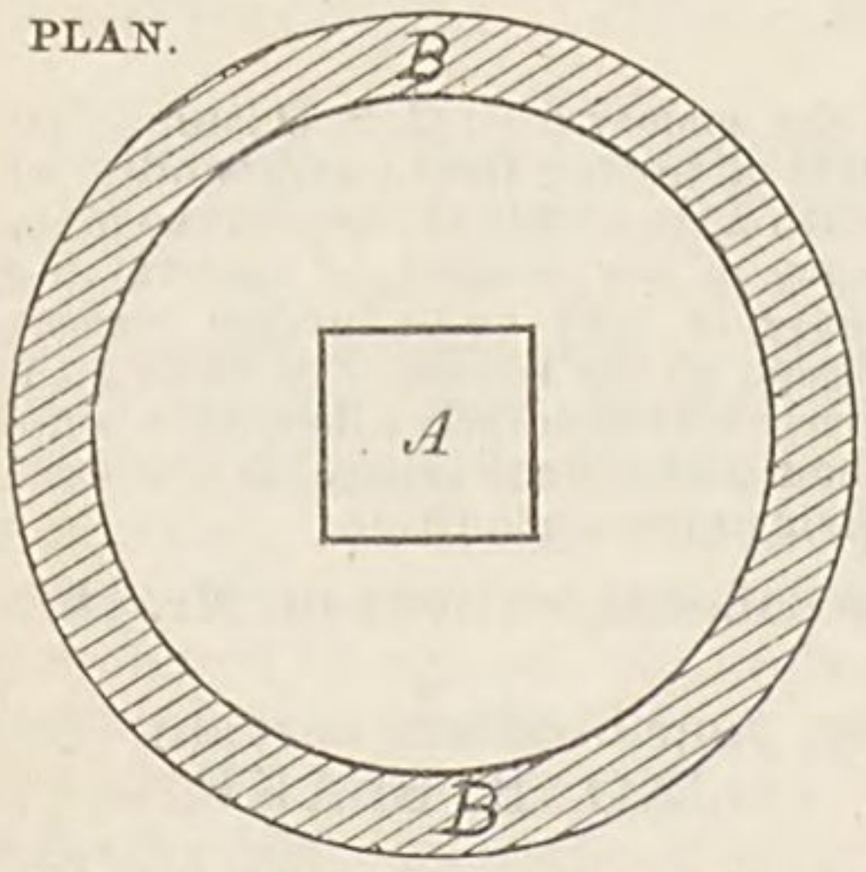
I.

[New York Stone Contracting Company, successors to New York & Long Island Coignet Stone Company. John C. Goodridge, jr., president. Factory, Third avenue, corner of Sixth street.]

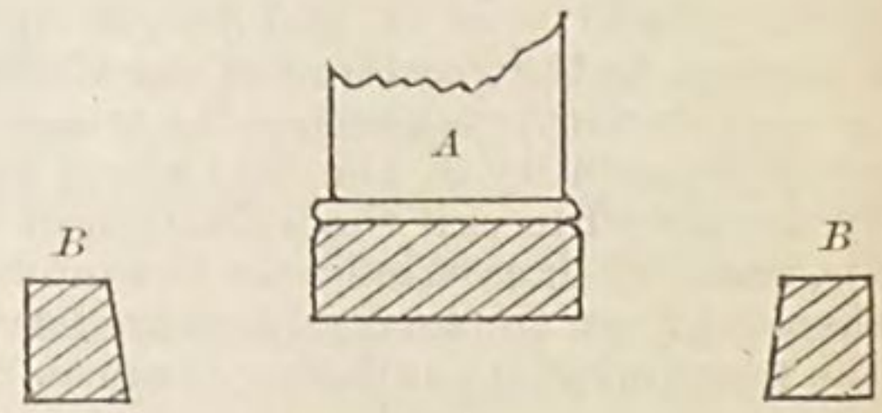
BROOKLYN, *October* 29, 1877.

SIR: I send you the following suggestion in regard to improving the foundation and distributing the weight of the Washington Monument. It is first to inclose the present foundation with a circumscribing wall of beton of high tensile strength, the beton wall going below the present foundation.

PLAN.

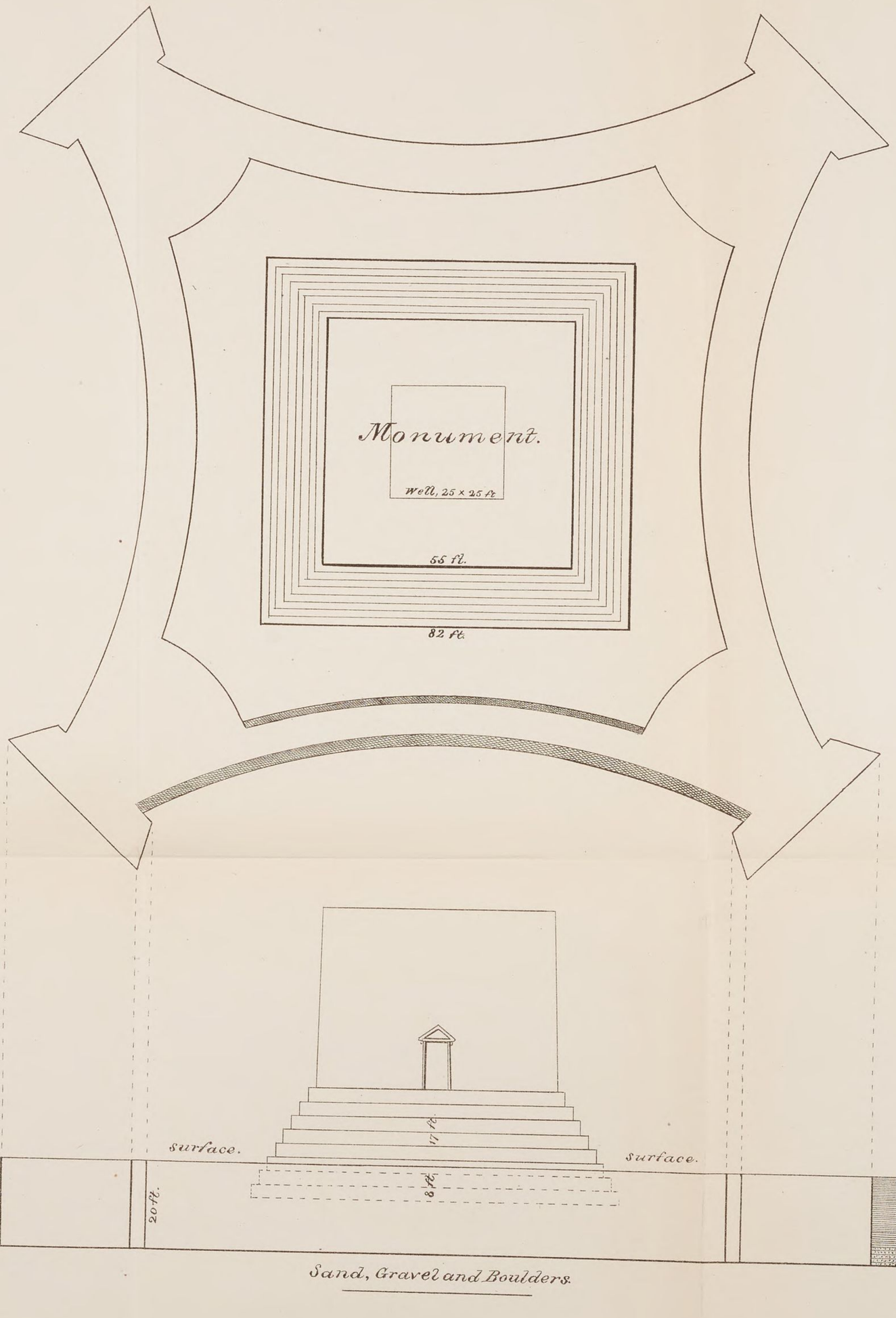


CROSS SECTION.



A—Monument.
B—Wall.

The strength of this wall may be increased by the insertion of iron rods, chains, &c.



Plan

to

Sustain the Foundation of the

Washington National Monument.

Four Arches, built of Stone and Brick, Crowns towards the Foundation, on each side of the Monument, resting on Abutments of Stone, at the angles of the Foundation.

The Masonry to commence at the depth of twenty feet, the top of the Strata of Sand, Gravel and Boulders, and continued to the Surface.

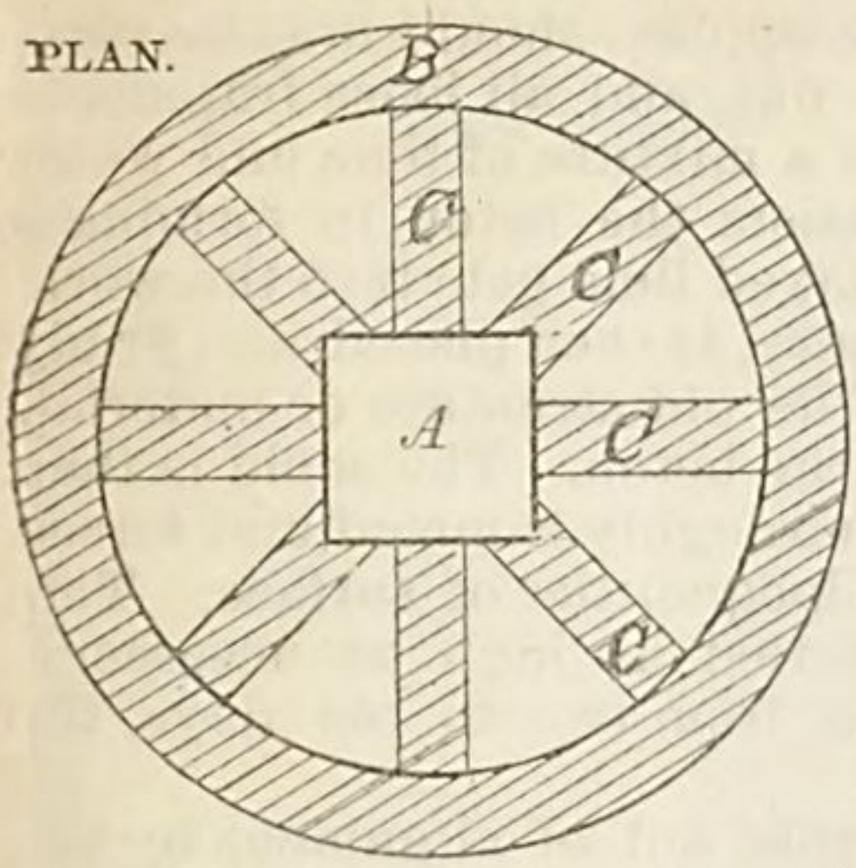
Scale, 25ft to the inch.

Fred. D. Stuart

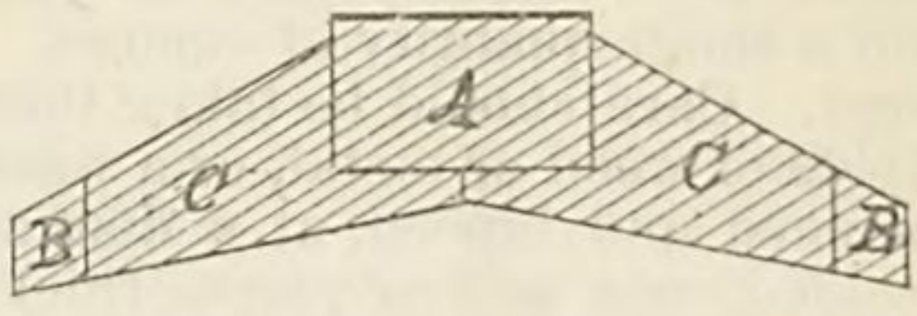
- Oct. 1877-

Second. From this circumscribing wall tunnels are carried to the foundation, and under it if necessary.

PLAN.



CROSS SECTION.



A—Monument.
B—Circum, wall.
C—Ribs.

The details of this process are described in the patent which I inclose. The ribs may be increased until the foundation is entirely encircled with beton, or inverts may be made between them. The shape of this new and subfoundation may be likened to a cart-wheel laid flat on the ground, the monument being on the hub.

By this method you not only get a large area, but, from the center being higher (as a wheel is dished), the outer circle must be forced apart, and the earth behind it forced out, before any settling can occur.

Such a structure would be like an inverted saucer and a monolith.

We replaced the foundation of the Portage bridge on the Erie Railway, and it has answered perfectly. The bridge was 240 feet high, and trains constantly passing. Some of the piers were in a rapid current in the Genesee River.

Very respectfully,

JOHN C. GOODRIDGE,
President.

P. S.—I sent pamphlet by mail.

Hon. W. W. CORCORAN,
Chairman Committee Washington Monument.

UNITED STATES PATENT OFFICE.

John C. Goodridge, jr., of New York, N. Y. Improvement in methods of repairing structures with beton or concrete.

Specification forming part of letters patent No. 193,865, dated August 7, 1877; application filed March 21, 1877.

To all whom it may concern:

Be it known that I, John C. Goodridge, jr., of the city of New York, and State of New York, have invented a new and useful Method of Repairing Structures with Beton or Concrete; and I hereby declare that the following is a full and exact description thereof, reference being made to the plate which accompanies and forms part of this specification.

This invention relates to the repairing, strengthening, replacing, protection, and preservation of structures formed wholly or in part of stone, brick, metal, or of rock, in its natural position by the employment of

beton or concrete. Repairs may become necessary from imperfect construction, disintegration, oxidation, friction, pressure, or concussion.

The material to which the beton is to be applied should first be carefully cleaned, the joints thoroughly raked out, and all loose fragments removed. It should then be washed with a mixture of lime and water and a small quantity of cement. This assists the beton in forming a bond. Care should be taken that no unslaked lime gets into the work. Molds of wood or metal, or a wall of masonry, is then placed, and firmly fastened and braced, at a distance from the old structure or material, decided upon as the proper thickness of the beton. The mold is then filled with beton, layer by layer, and thoroughly rammed and forced into all joints, crevices, irregularities, and inequalities of surface. This process is continued until the beton is carried as high as necessary. After the beton has set, which will be in from two to ten days, the molds may be removed.

Figure 1 shows a retaining-wall, A, thrust out of alignment by the bank B. The beton mass C is joined to the wall A in the manner described, and A and C form a wall which is stable, and capable of supporting the thrust of the bank. Fig. 2 shows an arch, A, strengthened by the beton lining B. A mold is placed in the arch, and at a proper distance from it. The space between the arch and mold is then carefully filled with beton. This attaches itself to the arch and fills all joints and irregularities, so that water cannot get between it and the old structure. A new structure may be made by first placing a lining of beton and then placing the stone or other material upon that. When the top of an arch to be repaired is accessible it may be uncovered, all old filling removed, and the beton placed upon the old structure, using it as a mold. Fig. 3 shows the method of replacing a foundation, A being the tower-wall or pier, C the foundation which is to be replaced, and D a firm soil or rock below, to which it is desirable to transfer the weight. Should the old foundation C be very uncertain, the buttress B should first be made of beton. Section 1 of C is then removed and replaced with beton; next, section 3, and so alternately. Then return to 2 and 4; or they may be taken in regular order if time is allowed between each replacement for the beton to harden. In this manner any structure or its foundation may be replaced, section by section. The beton, completely filling the space occupied by the material removed, prevents any settling, and allows the structure to be used for the purposes for which it was constructed during the time occupied by its repair. If the surface of a structure is deteriorating, or not strong enough, from any cause, or if water, getting inside, separates its component parts, as happens particularly in river piers and abutments, it may be entirely incased in beton and its whole surface covered.

I do not claim as new the building of new structures entirely of beton or concrete, or the backing of new structures having a stone face, or of plastering of masonry by means of trowels and floats, as is done in mastic work.

What I claim, and desire to secure by letters patent, is—

The within-described method of repairing and replacing structures formed wholly or in part of stone, brick, or metal, or rock in its natural position, by the employment of beton or concrete, substantially in the manner set forth.

JOHN C. GOODRIDGE, JR.

Witnesses:

GEO. G. SCOFIELD.

HOWARD EARLE.

J. C. GOODRIDGE, Jr.,

METHOD OF REPAIRING STRUCTURES WITH BETON OR CONCRETE.

No. 193,865. Patented Aug. 7, 1877.

Fig. 1.

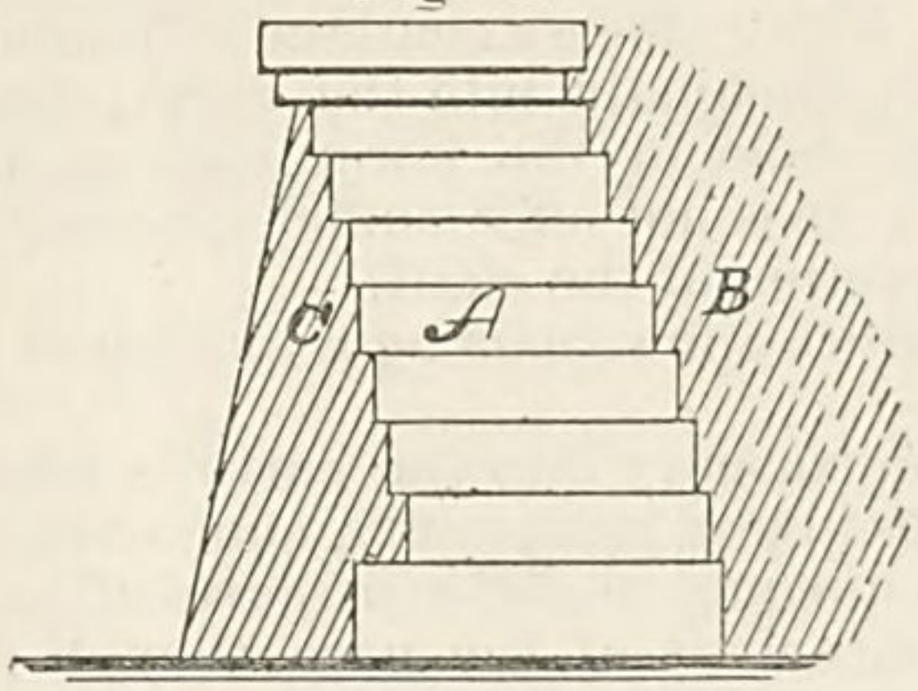


Fig. 2.

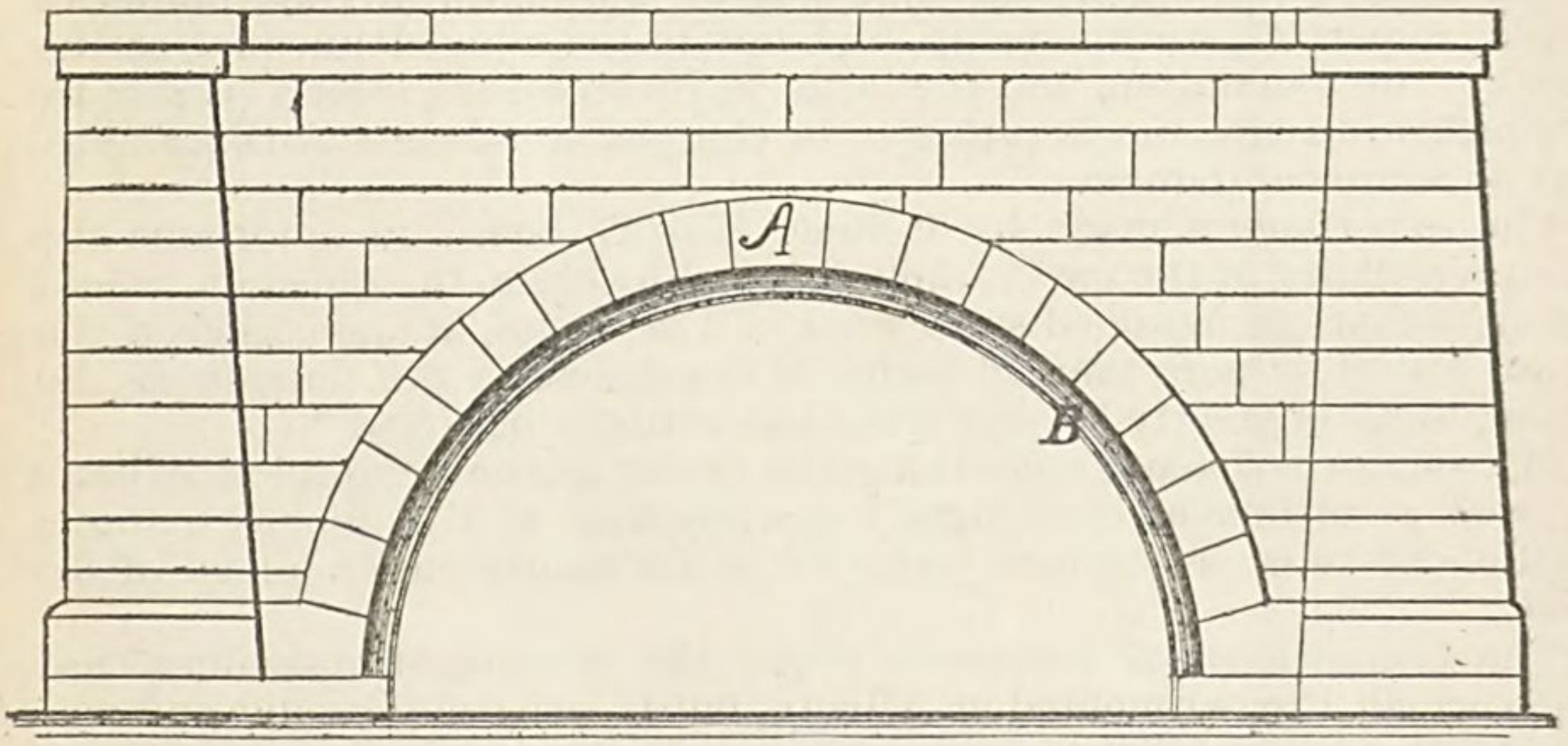
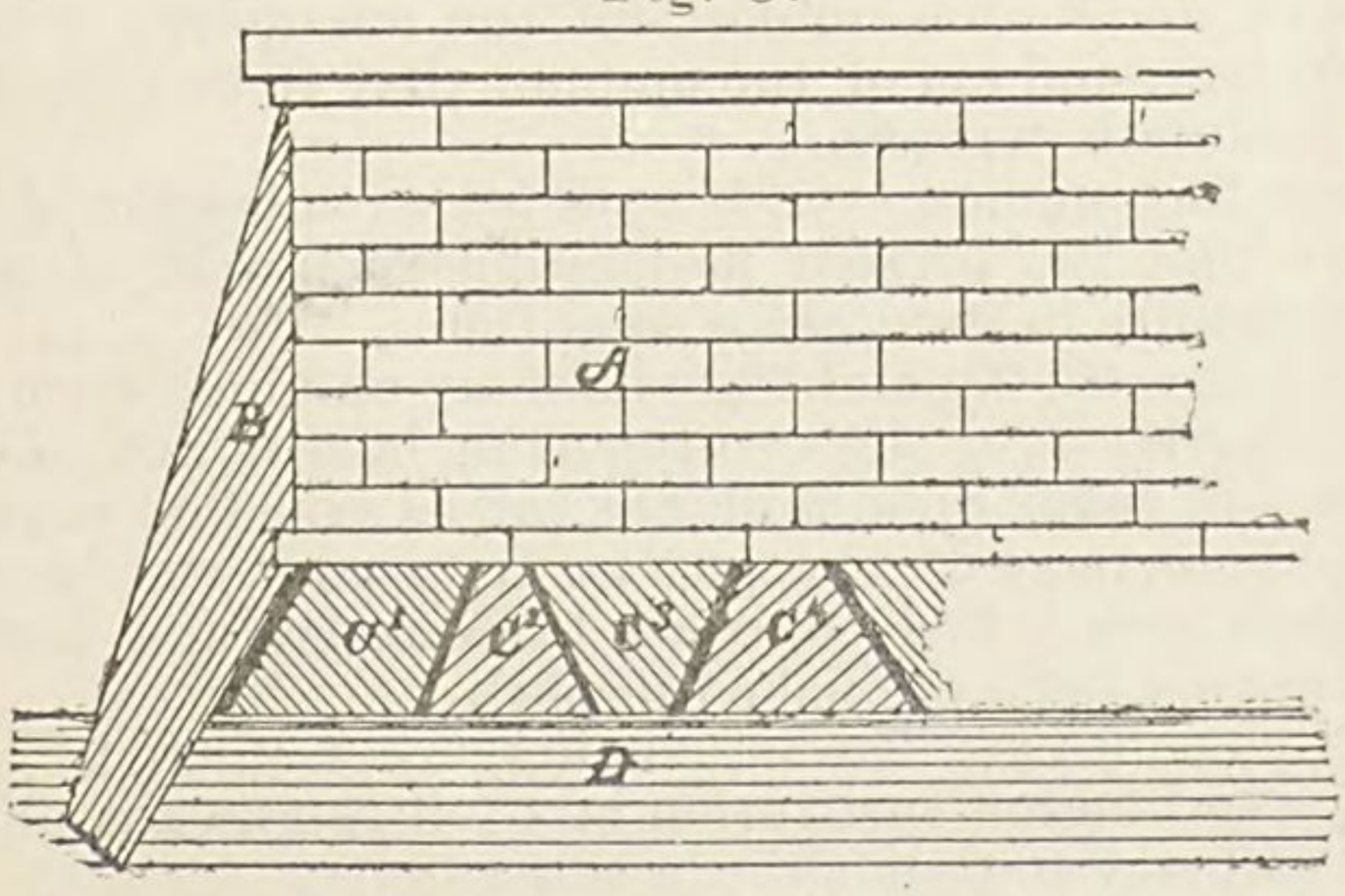


Fig. 3.



Inventor,
John C. Goodridge, Jr.

Witnesses:
Howard Earle,
H. B. Tompkins.

6 W M

K.

BABYLON, L. I., N. Y.,
October 29, 1877.

SIR: A few days since a pamphlet, entitled "Foundation of the National Washington Monument," was loaned to me.

In the reports of the Army officers contained therein, it is stated that the masonry has settled unequally into the earth, causing the shaft to lean; that the arris of some of the lower courses have spalled, and that the earth beneath does not offer sufficient resistance to compression to justify the completion of the shaft.

I examined this structure a few years ago, but found nothing of a dangerous character.

The embedding of the masonry into the earth is what does and *must* occur with all structures placed upon earth, and is not dangerous except when the settlement is unequal in different parts of it.

The spalling of the face arris at the base, though disfiguring in its present condition, is no indication of instability, and can be corrected at an inconsiderable expense.

The alleged leaning of the shaft may be more naturally attributed to slight, imperfect, workmanship, and not to the alleged unequal settlement of the foundation, and the latter is, by no means clearly proven by the measurements, but is rather to be charged to careless workmanship, but no source of danger.

The experiments made by Colonel Kurtz's board to determine the compressibility of the earth, though inapplicable to the question, would indicate that the assumed settlement of 8.82 inches at one corner of the shaft (equal to more than 10 inches if it extends to the outside of the foundation), is greatly beyond what has actually occurred.*

My own experiments upon the earth under the new capitol at Albany showed a settlement (not merely compression) of 1.14 inches under a load of 2.8 tons per square foot, and of 5.9 inches under a load of 5.9 tons.

The composition of the earth under the monument resembles that upon which I experimented at Albany, but is less compressible and was more dry, and would therefore settle less under the same weight.

I have considered the question of a proper manner of obtaining an ample and secure foundation-support for the monument if carried to the height of 400 feet, and am of the opinion that it can be done at a comparatively moderate expense.

I should repeat this opinion even if a proper examination of the question should show that the present foundation should be strengthened to sustain the structure in its present condition.

I refer you to pages 22, 23, and 26, where my opinions upon the subject have been referred to by the two reporting boards, and have to add that the examples of loads upon different earths given on pages 22 and 23 and in the table on page 35, except Nos. 1, 2, and 6, were copied from my private notes which I had collected in America and Europe, and which had before only been published in part.

My essay on this subject ("The supporting power of earth") will soon be published by the London Institution of Civil Engineers, until which time I am not at liberty to publish it in this country.

If you desire a further explanation of my views on the present con-

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* In the table on page 34 of the pamphlet, it is stated that the same kind of soil was compressed only $\frac{5}{32}$ of an inch under a pressure equal to 5 tons per square foot.

dition of the foundation of the monument, or further examinations by me, or plans for a secure foundation for the completed monument, I will wait upon you at such time as you may designate.

Respectfully, yours,

WM. J. McALPINE.

W. W. CORCORAN, Esq.,
Washington, D. C.

P. S.—Please acknowledge the receipt of this letter by sending me a copy of the pamphlet referred to.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 7.

ANNUAL REPORT

OF THE

ATTORNEY-GENERAL

OF THE

UNITED STATES.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1877.

LETTER

FROM THE

ATTORNEY-GENERAL OF THE UNITED STATES,

TRANSMITTING

His annual report, in compliance with the act of March 8, 1873.

DECEMBER 3, 1877.—Laid on the table and ordered to be printed.

DEPARTMENT OF JUSTICE,
WASHINGTON, *December* 3, 1877.

SIR: I have the honor to transmit herewith my report for the year 1877.

Very respectfully, your obedient servant,

CHAS. DEVENS,
Attorney-General.

The SPEAKER *of the House of Representatives,*
Washington, D. C.

REPORT

OF THE

ATTORNEY-GENERAL OF THE UNITED STATES.

DEPARTMENT OF JUSTICE,
Washington, December 3, 1877.

To the Senate and House of Representatives of the United States, in Congress assembled:

Sections 384, 385, and 387 of the Revised Statutes of the United States make it the duty of the Attorney-General to report, at the commencement of each regular session of Congress, the business of the Department of Justice for the last preceding fiscal year, with other matters that he may deem proper, and such statements of the several appropriations placed under his control as will exhibit the sums appropriated, and the amounts in detail used in defraying the expenses of the United States courts in each judicial district, together with the statistics of crime under the laws of the United States, and an account of the number of causes, civil and criminal, pending in said courts for the period mentioned.

As I entered upon the duties of the office of Attorney-General on the 12th day of March last, this report, so far as it relates to the operations of the fiscal year ending with June 30, 1877, depends largely upon the records of the department as they were left by my predecessor.

Such business is exhibited and such reports are presented herewith.

CIRCUIT AND DISTRICT COURTS OF THE UNITED STATES.

Exhibits A, B, and C show the business of the circuit and district courts of the United States in the several judicial districts during the last fiscal year.

Exhibit A is a statement of the civil suits to which the United States was a party, terminated in the circuit and district courts of the United States during the fiscal year ending June 30, 1877, and of such suits pending in said courts July 1, 1877.

During the last fiscal year 2,716 civil suits were terminated; 1,104 of these were customs suits, in 312 of which judgments were for the United States, in 106 for defendants, and 686 of them were either dismissed or discontinued, 1 was appealed from the district to the circuit court, and 18 from the circuit to the Supreme Court; 1,042 were internal-revenue suits, in 661 of which judgments were for the United States, in 60 for defendants, and 321 of them were either dismissed or discontinued, 12 were appealed from the district to the circuit court, and 13 from the circuit to the Supreme Court; 90 were post-office suits, in 73 of which judgments were for the United States, in 1 for defendants, and 16 of them were either dismissed or discontinued, 2 were appealed from the circuit to the Supreme Court; 480 were miscellaneous suits, in 292 of

which judgments were for the United States, in 56 for defendants, and 132 of them were either dismissed or discontinued, 7 were appealed from the district to the circuit court, and 10 from the circuit to the Supreme Court.

Many of the customs suits reported dismissed or discontinued were discontinued by direction of the Secretary of the Treasury.

The aggregate amount of the judgments in favor of the United States in these suits was $4,141,774.29, and the amount actually realized on these judgments during the last fiscal year was $1,960,627.52.

Six thousand seven hundred and sixty-four civil suits, to which the United States was a party, were pending July 1, 1877, viz: Customs suits, 4,484; internal-revenue suits, 1,369; post-office suits, 124; miscellaneous suits, 787.

Exhibit B is a statement of the criminal prosecutions terminated in the circuit and district courts of the United States, during the last fiscal year, and of such prosecutions pending in said courts, July 1, 1877.

Eight thousand one hundred and three criminal prosecutions were terminated during the last year; 83 of these were prosecuted under the customs-laws, in which there were 30 convictions, 7 acquittals, and 46 were entered *nol. pros.*, discontinued or quashed; 5,890 under the internal-revenue laws, in which there were 2,576 convictions, 574 acquittals, and 2,740 were entered *nol. pros.*, discontinued or quashed; 347 under the post-office laws, in which there were 176 convictions, 36 acquittals, and 135 were entered *nol. pros.*, discontinued or quashed; 234 under the enforcement acts, in which there were 38 convictions, 11 acquittals, and 185 were entered *nol. pros.*, discontinued or quashed; 37 for embezzlement, in which there were 15 convictions, 3 acquittals, and 19 were entered *nol. pros.*, discontinued or quashed; 1,480 were miscellaneous prosecutions, in which there were 763 convictions, 249 acquittals, and 468 were entered *nol. pros.*, discontinued or quashed.

Several hundred of the prosecutions under the internal-revenue laws "entered *nol. pros.*, discontinued or quashed," were compromised and settled by the Commissioner of Internal Revenue, but more than one-half of those so reported were old indictments, found several years since, for the illicit manufacture or sale of distilled spirits, malt liquors, or tobacco, a class of cases constituting over nine-tenths of all the prosecutions for violation of the internal-revenue laws. In very many such cases entered *nol. pros.* or discontinued the defendants could not be found.

Over 600 of these prosecutions entered *nol. pros.* in the western district of Texas were reported by the United States attorney for that district "as cases in which no arrests could be made, accumulating for five years past," while in the district of Louisiana over 300 such prosecutions were reported by the United States attorney as cases in which "there was no fair probability of arrests ever being made, the indictments and information being over one year's standing."

The aggregate amount of fines, forfeitures, and penalties in these criminal cases during the last fiscal year was $370,790.29, and the amount actually realized therefrom was $70,723.76.

Six thousand five hundred and thirty-eight criminal prosecutions were pending July 1, 1877, viz: 144 for violation of the customs-laws, 4,307 for violation of internal-revenue laws, 240 for violation of post-office laws, 305 prosecutions under the enforcement acts, 19 under naturalization laws, 58 for embezzlement, and 1,465 miscellaneous prosecutions.

Exhibit C is a statement of the civil suits, to which the United States was not a party, commenced and terminated in the circuit and district

courts of the United States during the last fiscal year, and of such suits pending in said courts July 1, 1877.

Ten thousand two hundred and fifty-eight civil suits, to which the United States was not a party, were commenced during the last year, of which 2,603 were cases in admiralty, and 7,655 were other miscellaneous suits.

Seven thousand three hundred and eighty-two suits of this kind were terminated last year, of which 1,879 were cases in admiralty, and 5,503 were other miscellaneous suits.

Judgments for plaintiffs in these suits were as follows: 1,247 in admiralty suits, amounting to $899,358.60; 3,512 in other suits, amounting to $37,067,077.57; judgments for defendants as follows: 289 in admiralty suits, amounting to $21,030.41; 1,286 in other suits, amounting to $53,004.56; 35 suits in admiralty and 68 other suits were dismissed or discontinued, and the result is not stated in 308 cases in admiralty, and in 637 other suits reported terminated.

No reports of civil suits, to which the United States was not a party, have been received from the northern district of Florida, the district of Indiana, or the southern district of Ohio; the clerks of the United States courts in those districts having failed to report directly to this department, or to furnish the information to the United States attorneys for those districts.

EXPENSES OF THE UNITED STATES COURTS.

Exhibit D shows the advances made to United States marshals, the sums paid to United States attorneys and special counsel, the earnings paid to the clerks of its courts and to United States commissioners, the expenses incurred in support of its prisoners and in the management of the United States jail in the District of Columbia, the expenditures for rent, furniture, and other miscellaneous expenses, that do not belong to the classes mentioned for the fiscal year 1877.

This exhibit is arranged by judicial districts, alphabetically.

United States marshals have received $1,964,678.20, upon formal requisitions to defray the expenses of the courts while in session or during recess; which sum is nearly three-fourths of the judiciary fund. A marshal's requisition usually asks for funds to pay the per diems and travel of the grand and petit jurors and witnesses, for a particular term of a court, and for the support of United States prisoners, for fuel, lights, and stationery, and the per diem of himself, his criers and bailiffs. For these disbursements he gets credit upon his accounts in the Treasury.

JURIES.

A comparison of several requisitions shows that the sums required for jurors are very large. In this connection your attention is respectfully invited to a proposed change from the present per diem of $3 to a juror, back to the per diem of $2, approved February 26, 1853.

Under present values it would seem that $2 should be a sufficient per diem. Should this suggestion be adopted thousands of dollars would be saved to the government. The present per diem is so liberal that some jurors value the pay too highly for rapid transaction of business, and sessions are protracted without reasonable cause. Service upon a jury should be considered a privilege and a duty, but not to be sought on account of its pecuniary profit. Instances are reported of persons who have applied to the marshal to obtain employment on the juries,

while others are known to have resorted to the judge to induce him to request or direct the marshal to place them upon his jury list.

The method of drawing the United States jurors should be uniform in the courts, and in this statement I reiterate the opinions of my predecessors in their annual reports.

FEES ON INFORMATIONS.

A statute which shall make the fee of the attorney in prosecutions by information the same as in those by indictment, will prove economical. A large majority of prosecutions under United States laws are of a nature that admits of initiation by information as readily and satisfactorily as by indictment, and the ends of justice are secured at much less expense as the intervention of a grand jury is not required.

The importance of these recommendations is enhanced by the fact that there are annually held over four hundred and fifty regular terms of courts which at times continue a week but may continue for months, besides the special terms that may be called.

ATTORNEYS' FEES.

The sum of $306,241.61 was paid to United States attorneys, and to their assistants, regular and special, consisting of the earnings of the former, salaries of regular assistants, and compensation to special counsel appointed by the Attorney-General under section 363 of the Revised Statutes. This section directs the Attorney-General to employ and retain in the name of the United States, such attorneys and counselors at law as he may think necessary, to assist the district attorneys in the discharge of their duties, and to stipulate with such assistant attorneys and counsel the amount of compensation, and to have supervision of their conduct and proceedings. Under this statute, it seemed to me, upon assuming the duties of the office, that the assistants had been increased to a greater number than were required for the proper administration of justice, provided the district attorneys themselves did the duty properly required of them. I therefore lessened the number of the regular assistants for the present fiscal year by a reduction of twenty-nine, and the sum to be paid to them has been reduced over $50,000. While it may be found necessary to add to this expenditure, I shall hope that it will not be necessary to do so largely. No assistant will be allowed to an attorney merely to help him earn his maximum.

I would suggest that a graded system of salaries could be formed by which the district attorneys could be compensated, instead of being compensated by the fees which they now receive. Several of my predecessors have made this recommendation, and the last House of Representatives favorably entertained a similar proposition. Should such a plan be adopted, it should be applied also to the salaries of assistant district attorneys, and Congress should itself prescribe the number of the regular assistants and designate the districts in which they should be employed.

DISTRICT OF COLUMBIA.

In the District of Columbia an anomaly exists in reference to the United States attorney for the District and his assistants. The former is an officer separated from this department to a large extent, and is certainly not responsible to it for his accounts, while his assistant is an

officer of the United States whom neither the Attorney-General nor the President can remove or control. Both officers should be made amenable to the Department of Justice in the same way and on the same footing as other district attorneys and assistants are.

The same regulation should be applied to the clerks of the courts in this District. They should be subject uniformly with other clerks, to the control which this department exercises over accounts, and I respectfully ask for the requisite legislation.

SPECIAL COUNSEL.

It will be observed by reference to Exhibit M that considerable expenditures have been made for counsel fees. No more difficult or delicate duty is laid upon the Attorney-General than that of determining when special counsel shall be employed on behalf of the United States, and what compensation shall be paid to them. Such counsel are clearly necessary in many instances when the magnitude of the interests involved and the array of counsel to be met is such that too heavy a burden would be imposed upon the district-attorney if he were expected to meet it single-handed and continue also the routine of his daily duties.

CLERKS OF COURTS.

There was paid to the clerks of courts $94,511.55 for their official fees and per diems, on accounts adjusted by the treasury.

In some districts the same person is clerk of the district court and circuit court, and receives a maximum of $7,000 after all expenses of the offices have been paid. As the government allows a liberal supply of deputy clerks for the labors of the office, it is equitable to fix the maximum in such cases at $5,000.

In addition to the fees allowed by existing statutes, the clerk performs other clerical work for which he makes charges and collects sums of which the department has no information. All earnings made by the clerk should be accounted for, whether fixed as fees or in any way acquired in his capacity as clerk, and I would suggest that appropriate acts should require this duty.

A clerk may hold a plurality of lucrative offices; he may be clerk of each court, a United States commissioner, an examiner in patent cases, and a master in chancery. He is thus multiplying his gains without official restraint, because his force of competent assistants can attend to the office while he is absent. This plurality is chiefly objectionable in the large cities, and tends to lax administration of each office.

UNITED STATES COMMISSIONERS.

The United States commissioners were paid $77,238.98 directly from the judiciary fund, and collected besides from individuals some unknown sum, of which the government does not obtain a proportional benefit. There are over eighteen hundred of these officials, and while some only earn nominal sums others derive large incomes from fees. There is too much reason to believe that in many instances warrants are issued for nominal violations of law, and that sufficient discretion is not used in determining whether an appropriate case for criminal proceedings is made out. A commissioner may make from one case over sixteen dollars in one day, and if he has more cases he may increase the amount to twenty-five dollars and upwards. If a small number of commission-

ers were appointed at fixed salaries, much of the temptation to which they are now exposed would cease to exist. If this should not be deemed advisable, I would suggest that their number should be limited by law in each district, that they should not be permitted to receive a maximum exceeding three thousand dollars per annum, or ten dollars in one day from criminal proceedings, and that they should be required to present quarterly an emolument return to the Department of Justice of all fees earned, received, or collected by them in criminal cases and in other cases to which the United States is a party. Under the present law they are not required to render an account of the fees collected by them, and the statement that the government has paid to commissioners a certain *large* sum, does not embrace all that they have received from the office.

A statute also should regulate their practice in accepting bail-bonds. Sureties should be required to point out in their qualifying oaths the property possessed by them which constitutes the validity of the security offered and accepted.

RENTS.

There was paid $48,175.66 for rents where the government owns no buildings, for rooms, for courts, for juries, for witnesses, for judges' chambers, and for temporary jails This expense has been subjected to decrease, wherever it has been possible. All expiring leases renewed by me are for smaller rentals than those originally accepted.

MISCELLANEOUS EXPENSES AND JAILS.

There was paid $110,124.94 for miscellaneous expenses, including $75,500 chargeable as expenses of the jail in this district.

Under this head will properly fall during the current fiscal year such expenses for the support of United States prisoners as are paid on accounts rendered to this department. On looking into this portion of the expenses paid by the judiciary fund there was found an opportunity to save large sums accruing hereafter. It may be improper to estimate at this early day what amounts may reasonably be expected on contracts of force since the first of October last, but I believe it is safe to say that more than $40,000 will be saved upon this item during the present fiscal year. Contracts of a similar nature will be made in every practicable case that arises. In making them due regard has also been preserved for the treatment, health, and security for the prisoners as well as for economy.

An extra expense has been rendered necessary in sending prisoners to a place where the sentence of the court could be carried out. It costs over $600 to send a prisoner from New Mexico to a prison in Missouri, but this expense must be incurred as there is no available penitentiary in that Territory.

APPROPRIATIONS FOR COURTS.

The whole amount expended by the Department of Justice for the courts of the United States for the fiscal year 1877 was $2,600,970.94, a large portion of which was incurred before my accession to office. Upon realizing the large disbursements made, I issued a circular to all marshals, enjoining upon them the strictest economy in curbing expenses in conjunction with the other officers of the courts, and I have reason to believe that they accorded a hearty effort to carry out the request. The appropriation was inadequate to continue the ordinary business of

the courts to the conclusion of the fiscal year. Some marshals advanced their own funds for the use of the government and carried them through the usual terms. Notwithstanding such assistance the business of many other courts was delayed by a peremptory adjournment of whole terms or parts of terms. The expenses of the terms that were adjourned were transferred to succeeding courts, and are an additional burden upon the present appropriation. These expenses, postponed through want of funds, besides the deficiency allowed for that year by the late session of Congress, amount to over $170,000 already ascertained.

There will be a deficiency on the accounts of the past fiscal year, in addition to that already provided for by Congress at its special session. That appropriation will cover only the deficiency in the accounts for that year which were then audited, but other accounts have since come in and more are yet to come. My estimate for the whole deficiency was $250,000, of which $208,057.50 was allowed. The remainder will be found necessary.

In closing the statement of the expenses of the courts, I respectfully call your attention to the fact that over one half of them and nearly three-fourths of them are incurred by prosecutions under the internal-revenue laws, and that this heavy expense becomes useful to the government in the general receipts at the Treasury, which is credited with all the fines, penalties, and forfeitures that accrue, while the Department of Justice, that has borne the expense, gets no return, and is not credited in any pecuniary way therefor.

THE SUPREME COURT OF THE UNITED STATES.

Forty-eight cases, to which the United States was a party in interest, as plaintiff or defendant, were argued at the October term, 1876, of the Supreme Court. Nineteen judgments rendered by inferior courts in favor of the government or its representatives, were affirmed, while only two such were reversed. These two were the cases of the Lake Superior and Mississippi Railroad Company, and of the Atchison, Topeka, and Santa Fé Railroad Company, involving the question whether or not the United States were entitled to the free use of the rolling-stock of a land-grant railroad, or of the road-bed only. By a bare majority the Supreme Court held its gratuitous use limited to the road-bed. See 93 U. S., 442. Twelve judgments against the United States were affirmed, while 14 such were reversed. Six appeals from decisions in favor of the United States were dismissed upon motion of the appellants. In two causes the United States procured the dismissal of its own appeal, because in each a new trial had been granted in the court below, and abandoned four appeals. One case (the Credit Mobilier, so-called), argued last term, has been ordered for a reargument at the present term before a full court.

The number of cases upon the docket of the Supreme Court for the current term, at the time of writing this report, is over a thousand, of which the United States are interested in 175. In view of the incumbered state of the docket, great effort has been made to relieve the court by submitting cases under rule XX and otherwise. Thirty-four cases have been already presented by oral or written argument, many of them within a few days. Five judgments rendered below in favor of the United States have been affirmed and one reversed.

ADDITIONAL JUDGES AND INTERMEDIATE COURT.

I desire to call attention also to the necessity of making some additional provision for the transaction of the business in the Federal courts.

In the Supreme Court the business is usually at present from two years and a half to three years behind, and it is impossible that this accumulation can be diminished while so large an amount is annually added to it. The cases (apart from those taken thither for delay, which are sometimes found upon its docket as upon those of other appellate courts) are of the gravest character, involving necessarily elaborate discussion and laborious examination. It cannot be expected that more can be decided than are now disposed of in the annual session, or that any assiduity on the part of the distinguished magistrates who compose the court will enable them to accomplish more than that which they now do. The evils which the delay of justice occasions are too obvious to require discussion, and the consideration of Congress is respectfully called to some appropriate remedy. It is not to be found in any increase of the number of judges of the Supreme Court, and must be sought in some system by which a tribunal shall be created intermediate between the Supreme and the circuit courts. While the principal portion of the duties of such an intermediate tribunal should be performed by the judges of the circuit court, the litigation in this as well as the Supreme Court has of late become so large that, before any more duties can be imposed upon its judges, an addition should be made to their number. For several years there has been a most pressing want of an additional judge in the second circuit, and it is now doubtful whether one such judge would enable that court, even if there is no increase in the duties to be performed by its judges, to transact its regular business. In some other circuits, but to a less degree, the business of this court has fallen behind, while in none is it kept up except by the greatest industry on the part of the judges. It is but just to say in each circuit all is done which can fairly be expected from its judicial force. If, therefore, an intermediate court of errors and appeals is to be created, which shall relieve the Supreme Court of a part of its jurisdiction, it can be done advantageously only by adding to the number of circuit judges, and by the same plan the business of the circuit courts can also be expedited. It does not appear to me that the objects to be attained can be reached satisfactorily by any imposition of other duties upon the judges of the district courts, except so far as to require them, according to some defined plan, to sit in the intermediate court in case of the absence or disability of one of the judges of the circuit court or the justice of the Supreme Court assigned to the circuit. When they thus sit, they must of course have the same powers with judges of superior rank, and it would not be desirable that the tribunal should be so arranged that they could ordinarily control its decisions as against them.

While intending to call the attention of Congress to the delays and evils which exist under our present system, but without desiring to propose any plan in detail for their consideration, I respectfully suggest that if the judges of the circuit courts should be increased by the addition of one judge to each circuit (except the second, where two should be added), the means would be provided by which an intermediate appellate court could be formed in each circuit, consisting of two circuit judges and the circuit justice, and the ordinary duties of the circuit court also more promptly and efficiently performed. An appellate court of such a character could be safely invested with a very large jurisdiction, and its decisions would satisfy suitors even in many instances where appeals would still be allowed to the Supreme Court. The expense of such an addition to the judicial force (which at the present salaries would be sixty thousand dollars) would be substantially all the expense necessary to be incurred. This would be small in comparison with the o -

jects of relieving the Supreme Court and those circuits now oppressed with business, and of giving to all parties an opportunity for a speedy trial.

THE COURT OF CLAIMS.

For the last fiscal year the total appropriation for defense of the United States against claims in this court was $40,000, as shown by Exhibit E. Of this there has been expended $39,617.66, and there are bills payable for services rendered during the year to an amount exceeding the balance, so that there will be a deficiency of about $500, for which provision should be made.

For the present fiscal year but $25,000 has been appropriated, an amount which experience has shown to be inadequate.

It is embarrassing to this department, in its efforts to discharge the duty imposed upon it by law, to be without the requisite means, and there is danger of serious loss to the public if its ability to make a proper defense is thus impaired.

The tabular statement herewith submitted may serve to convey an idea of the number and amount of these claims, and of the magnitude and importance of the business transacted in this court.

The following is a summary of the service of the past year:

CLAIMS FOR PROCEEDS OF CAPTURED AND ABANDONED PROPERTY.

Of this class thirty-four suits, claiming in the aggregate $3,386,467.84, were brought to trial. Of these, six suits, claiming $179,605, were remanded for further proceedings or held under advisement. In seventeen suits, claiming $2,780,980.33, there was judgment for the defendants; and in eleven suits, claiming $425,882.51, judgment for the claimants for the aggregate amount of $93,472.23.

The pending claims of this class are upwards of twelve years old, and the defense is continually becoming more difficult by lapse of time. More effectual means of enforcing a speedy disposition of such cases are needed.

MISCELLANEOUS CLAIMS.

Of these, fifty-eight suits, claiming in the aggregate $1,510,631.55, were brought to trial. Eleven suits, claiming $690,176.77, were remanded for further proceedings or held under advisement. In twenty-one suits, claiming $467,308.94, judgment was for defendants. In twenty-six suits, claiming $353,145.84, judgment was for claimants for the aggregate amount of $163,606.99.

Whole number of cases tried		93
Amount claimed	$4,897,099	39
Cases remanded and reserved		17
Amount claimed	$869,781	77
Cases decided for defendants		39
Amount claimed	$3,248,289	27
Cases decided for claimants		37
Amount claimed	$779,028	35
Judgments rendered therein	257,079	75

On motion made under the thirty-fourth rule of the court for the dismissal of a large number of suits for want of prosecution, it was granted in three hundred and eighty-four suits. The aggregate of claims thus disposed of is $7,680,194.89, not including many cases in which the amount claimed was not stated.

The total number of suits brought to judgment of dismissal during

the year is four hundred and twenty-three, in which the aggregate amount claimed is $10,928,484.16.

When this court was established in 1855, the salaries of the judges were fixed at $4,000, and they have been since increased to $4,500, an amount which still seems to be an inadequate compensation for the service required.

Exhibit F is the register of the receipt and distribution of the Statutes of the United States and Reports of the Supreme Court by this department. This duty is performed by the librarian.

In connection with the subject of the library, I would suggest that the librarian should be empowered to exchange, under direction of the Attorney-General, old editions of the text-books for the new when it is deemed advisable, paying the difference out of the amount appropriated for the library. The value of such books for use depends largely upon the lateness of the edition.

OPINIONS OF ATTORNEYS-GENERAL.

It has been customary from time to time to print the opinions of the Attorneys-General, as they embrace expositions of the Statutes which are daily of use in the various departments. Of these, fourteen volumes have now been published, and the recent unpublished opinions afford the materials for an additional volume. The edition usually printed has been one thousand copies, edited by one of the officers of this department, who has received a proper consideration for this labor. I respectfully suggest the propriety of making provision for such a volume.

UNITED STATES JAIL.

(EXHIBIT H.)

Pursuant to the act of Congress approved March 5, 1872, the warden of the United States jail in the District of Columbia has submitted his report for the year ending October 31, 1877.

From this report it appears that the work of finishing the new jail-building, and draining and improving the grounds, which, at the time of the last report, was being done by prison-labor, is now completed, principally by the same labor, and the experience of two years has proved that the building is admirably suited for the purposes designed.

The arrangements for ventilating, heating, washing, bathing, and cooking are all satisfactory, and the inmates have enjoyed remarkable health.

No death has occurred during the year, nor, indeed, since the new building has been occupied, though it is located in what is considered a miasmatic district.

The total number of prisoners in jail during the year was 2,405, of whom 2,151 were males and 254 females. Of these numbers there were in jail at the close of the year 257, of whom 230 were males and 27 females.

In compliance with the law, 106 convicts have been transported to the penitentiary at Albany, N. Y., and 10 to the Maryland penitentiary at Baltimore, Md., at an actual cost of $2,453.30.

Forty-four boys have been sent to the Reform School of the District of Columbia, without additional expense, as they were taken in the jail-wagon.

Twenty-two prisoners have been pardoned by the President, and one

thousand nine hundred and sixty-six released during the year. No prisoners have escaped.

The annual salaries of physician, guards, engineer, assistant engineer, firemen, messengers, and cooks have amounted to $35,765.90.

Expenditures for painting, glazing, sewerage, repairs on machinery, gas-fixtures, grading, fences, &c., have amounted to $1,375.69.

Other expenditures for the subsistence of prisoners, fuel, lights, furniture, &c., will be found detailed in the warden's report herewith submitted.

During the present season a new coal-vault has been constructed under the direction of the Supervising Architect of the Treasury, and connects with the engine-room in the basement by means of a tunnel. The vault is 45 feet long, 38 feet wide, 15 feet deep, and is entirely below the surface of the ground.

An embankment six feet above the grade on the north side of the grounds has been removed, and a ravine in the rear of the building partly filled up by prison-labor; the work is still progressing.

I desire to call your attention particularly to the warden's reiterated request for and statement of the necessity of an enclosing wall, and for provision for workshops and facilities for the employment of the prisoners.

I would also urge your consideration of the report of the physician of the jail as to the continued existence of a small-pox hospital upon the grounds of the institution, and the serious consequences which will result therefrom when the hospital shall be occupied.

METROPOLITAN POLICE.

(EXHIBIT J.)

The report of the president of the Board of Metropolitan Police shows—

1. That the appropriations for the support of the present force of 200 men, as authorized by law, are inadequate; $150,000 being appropriated against $205,270 for the fiscal year ending 1876; there being a deficiency of $55,270.

The exten and value of property is increasing yearly, and for want of funds the force is now reduced to 179 men—a total inadequate to the needs of the force. An increase to the extent of 400 men is recommended by the board.

Without undertaking to say how much the police force should be increased, I am clearly of opinion that the present force is insufficient, and that there should be a substantial addition to it.

In the recommendation that other than discharged soldiers and sailors be allowed appointment in the force, according to the existing law, I do not concur.

I concur in the recommendation that there be an appropriation to provide for feeding prisoners arrested on Saturday night, and who must necessarily be held until Monday; and also that some provision be made for the necessary printing of the board.

I call attention to other recommendations of the board, without desiring to express concurrence in or dissent from them.

REFORM SCHOOL OF THE DISTRICT OF COLUMBIA.

(EXHIBIT K.)

The report of the president of the Board of Trustees of the Reform School for the year ending June 30, 1877, gives a satisfactory and encouraging view of this important institution.

No accident of any kind, nor any death, has occurred during the year, and the health of the school has been remarkably good.

At the beginning of the year there were in the school 159 boys. To these were added 1 who had previously escaped and 49 committed by the proper authorities, making a total of 209 inmates during the year.

Of this number 38 were discharged, 2 indentured, 1 turned over to the court, 10 absent without leave, and 158 remaining in the school.

The boys received were committed by the following authorities: The supreme court of the District of Columbia 3; the police court, 38; and the president of the board, 8.

The work of the boys in the shops and on the farm and garden has resulted well, as will be seen by the accompanying detailed report of the superintendent.

The receipts for the year were:

Appropriation by Congress for salaries and current expenses	$10,000 00
District of Columbia, for support of boys therefrom	17,815 31
Magne & Chipman, Baltimore, chair-work	1,437 20
F. W. Howe, superintendent, receipts from sundry sources	471 07
Total	29,723 58

The disbursements for the same period, amounting to $29,723.58, will be found in the treasurer's itemized report, herewith submitted.

The need of this community for increased accommodations for incorrigible boys is shown by the fact that there are now large numbers of them confined in the city jail and the county almhouse, because of the crowded condition of the school and its inability to receive them. I would therefore most earnestly urge your favorable consideration of the request for the erection of suitable new buildings.

A due consideration for the future of the boys after they leave the Reform School convinces me that it is desirable that they should be trained to earn their own living in the country, and be kept as far as possible from the temptations and difficulties of crowded cities, and I therefore cordially indorse the proposal to buy the remaining half of the Peters farm, the lease of which by the school has already been attended with beneficial results.

The following estimate is submitted by the president of the board:

For salaries (including those of two additional teachers, who are greatly needed)	$12,000 00
For erection of a building for workshops, and the purchase of necessary machinery	11,000 00
For erection of two family buildings	24,000 00
For purchase of the remainder of the Peters farm	8,000 00
For erection of a new barn and out-buildings and necessary fences	9,000 00
Annual repairs	1,000 00
Total	65,000 00

The estimate for salaries includes the compensation of the secretary and the treasurer, whose duties involve quite an amount of labor. The latter officer has much responsibility, and, as required by law, is held under a bond of $20,000 to the United States for the strict performance of the duties of his office.

From personal examination of this school, I am satisfied that it is admirably conducted, and that its benefits should be extended to a larger number of boys than, owing to its limited accommodations, can now receive them. I commend its needs to the careful consideration of Congress.

Exhibit L is the report of the Architect of the United States Capitol, to which your attention is invited, and I believe that his recommenda-

tion for heating court-rooms and corridors is worthy of approval. There will be needed an appropriation of $1,000 for his office during the next fiscal year.

Exhibit G is a detailed statement of the appropriation for the contingent expenses of the Department of Justice.

APPROPRIATIONS.

The following is a general statement of appropriations placed under the Department of Justice for the fiscal year ending June 30, 1877:

Salaries, Department of Justice:	
Appropriation, act August 15, 1876	$100,593 31
Appropriation, act March 3, 1877	3,072 05
Repayment	444 36
Total	104,109 72
Amount expended to July 1, 1877	101,475 69
Balance	2,634 03
Rent of building, Department of Justice:	
Appropriation, act August 15, 1876	$14,000 00
Amount expended to July 1, 1877	14,000 00
Contingent expenses, Department of Justice:	
Appropriation, acts August 15, 1876, and January 26, 1877	$12,000 00
Amount expended to July 1, 1877	11,608 60
Balance	391 40
Salary of warden of jail of District of Columbia:	
Appropriation, act August 15, 1876	$1,824 46
Amount expended to July 1, 1877	1,824 46
Salaries and expenses of Metropolitan Police:	
Appropriation, act July 31, 1876	$150,000 00
Appropriation, act March 3, 1877	1,000 00
Repayment	2,914 43
Total	153,914 43
Amount expended to July 1, 1877	152,914 43
Balance	1,000 00
Current expenses, Reform School, District of Columbia:	
Appropriation, act July 31, 1876	$10,000 00
Amount expended to July 1, 1877	10,000 00
Defending suits and claims for seizure of captured or abandoned property:	
Appropriation, act July 31, 1876	$25,000 00
Appropriation, act March 3, 1877	15,000 00
Repayment	10 87
Total	40,010 87
Amount expended to July 1, 1877	40,010 87
Prosecution and collection of claims:	
Appropriation, act July 31, 1876	$2,500 00
Amount expended to July 1, 1877	2,488 00
Balance	12 00
Punishing violations of intercourse act and frauds:	
Appropriation, act July 31, 1876	$8,000 00
Repayment	315 53
Total	8,315 53
Amount expended to July 1, 1877	1,500 00
Balance	6,815 53
Prosecution of crimes:	
Appropriation, act July 31, 1876	$25,000 00
Amount expended to July 1, 1877	23,562 52
Balance	1,437 48

Expenses of Territorial courts in Utah:	
Appropriation, act July 31, 1876	$20,000 00
Amount expended to July 1, 1877	20,000 00
Expenses and fees of United States marshal, Territory of Utah:	
Appropriation, act May 1, 1876	$6,000 00
Amount expended to July 1, 1877	3,415 00
Balance	2,585 00
Court-house, Washington, D. C.:	
Appropriation, act July 31, 1876	$2,000 00
Amount expended to July 1, 1877	1,825 54
Balance	174 46
Constructing enclosure around penitentiary at Boisé City, Idaho:	
Appropriation, act August 5, 1876	$1,500 00
Amount expended to July 1, 1877	1,498 00
Balance	2 00
Expenses of United States courts:	
Appropriation, act July 31, 1876	$2,500,000 00
Appropriation, act March 3, 1877	102,000 00
Repayments reported from the Treasury Department	24,100 75
Total	2,626,100 75
Amount expended to July 1, 1877	2,600,970 94
Balance	25,129 81
Support of convicts:	
Appropriation, act July 31, 1876	$8,000 00
Amount expended to July 1, 1877	7,424 98
Balance	575 02

Detailed statement of the appropriation for contingent expenses.

For furniture and repairs	$929 40
For care and subsistence of horses and repairs of wagons and harness	999 03
For law and miscellaneous books for the library of the department	999 67
For law and miscellaneous books for the office of the Solicitor of the Treasury	497 63
For stationery	2,078 77
For express	34 00
For newspapers	87 75
For ice	248 98
For portrait, mats, and frames	1,348 00
For telegraphing	1,019 08
For carriage	600 00
For horse	300 00
For miscellaneous expenses, such as fuel, lights, labor, traveling, &c.	2,316 14
	11,458 45

UTAH.

Your favorable consideration is asked to place the penitentiary in Utah in fit condition for the security of prisoners. Under its present insecure condition the cost for guarding prisoners there is greater than in other Territories.

Your attention is respectfully directed to the fact that the maximum compensation of the United States attorney for the Territory is $3,500, while the maximum of every other United States attorney is $6,000. There is no reason for the exception, and his maximum should also be $6,000.

In addition to the regular estimates for the expenses of United States courts, some provision should be made for the expenses of the Territorial courts of Utah, for the fiscal year 1879, which has been done for the last two years.

Your attention is also respectfully invited to the services performed

and expenses incurred in Utah by the former United States marshal, George R. Maxwell, under the provisions of the act approved June 30, 1875, in relation to the courts and judicial officers of that Territory, payment of which was expected from the treasury of the Territory. The legislature of Utah provided no means for the settlement. The marshal has not yet been reimbursed for services or expenses. According to a statement made by the office of Comptroller of the Treasury of the United States there is due to Marshal Maxwell $24,770.53. Congress has made appropriations to pay similar expenses since the first of July, 1876, and having ordered these expenses previously, it seems proper that an appropriation should be made to meet the expenditures. I heartily recommend the appropriation as an act of justice.

The law approved June 23, 1874, in relation to courts and judicial officers of Utah is thought, by the chief justice of its supreme court, defective in its provisions for drawing jurors.

He is also judge of the second district court of the Territory, and states that under the operation of the act mentioned he is left at times without a sufficient number of jurymen for the transaction of the business of his court. Copies of his petition and proposed legislation for the remedy of the complaint are marked Exhibit N. Should this amendment to the act of June 23, 1874, be adopted the execution of the law will be relieved of a serious difficulty.

The revision of the jury-list and the frequency of the drawings might be left to the discretion of the United States judge in each district and the exigencies of business.

I would recommend to your favorable consideration the claim of E. P. Brooks, clerk of the United States courts at Pensacola, Fla., who, under direction of the judge of the district court, performed valuable services in reducing to order the records of previous years, and in placing his office, which had been wholly neglected by his predecessor, in good condition for the transaction of business and the convenience of suitors, as well as for the pecuniary benefit of the government in the recovery of funds in admiralty cases that would otherwise have passed into forgetfulness. His claim has apparent justice to support it, and, because this department cannot compensate him, he is referred to your body for his payment.

PROTECTION TO CIVIL OFFICERS.

I regret to be compelled to call the attention of Congress to the necessity of additional provision for the protection of the executive civil officers. Within the past year deputy marshals have been killed while serving the lawful process of the United States courts, and one willfully murdered, for no other reason that is known than the fact that he had faithfully executed process against certain illicit distillers, whose animosity he had incurred. The penalties for obstructing the process of the courts are not commensurate with the crime of murder, and are not appropriate thereto. Additional legislation is needed to protect the officers of the government in the performance of their duties and against the outrages committed upon them because they have faithfully performed them. The United States courts should be clothed with proper power over these offenses in order to punish those who murder their officers while discharging their duties, or because they have so discharged them. Matters so important to the proper execution of the process of the United States should not be left alone to the administration of justice in the State courts.

Very respectfully, your obedient servant,

CHAS. DEVENS,
Attorney-General.

EXHIBIT A.—*Statement showing the number of civil suits to which the United States was a* 1877, *with the number terminated during*

Districts.	Civil suits to which the United States was a party pending July 1, 1877.					Civil suits to which the United					
						Customs suits.					
	Customs suits.	Internal-revenue suits.	Post-office suits.	Miscellaneous suits.	Total.	Judgment for United States.	Judgment for defendant.	Dismissed or discontinued.	Total.	Appealed from district to circuit.	Appealed from circuit to Supreme.
Alabama, northern district	.....	6	8	5	19	.....	.....	.....	.....	.....	.....
Alabama, middle district	.....	3	4	1	8	1	.....	1	2	.....	.....
Alabama, southern district	1	2	.....	2	5	.....	1	.....	1	.....	.....
Arkansas, eastern district	.....	.....	2	.....	2	.....	.....	.....	.....	.....	.....
Arkansas, western district	.....	.....	.....	27	27	.....	.....	.....	.....	.....	.....
California	26	25	5	30	86	8	12	5	25	.....	.....
Colorado	.....	9	2	56	67	.....	.....	.....	.....	.....	.....
Connecticut	1	4	.....	5	10	.....	.....	.....	.....	.....	.....
Delaware	7	.....	8	.....	15	.....	.....	4	4	.....	.....
Florida, northern district	5	10	6	13	34	2	.....	1	3	.....	.....
Florida, southern district	.....	.....	.....	1	1	.....	.....	.....	.....	.....	.....
Georgia, northern district	.....	5	9	3	17	.....	.....	.....	.....	.....	.....
Georgia, southern district	1	6	1	1	9	.....	.....	.....	.....	.....	.....
Illinois, northern district	4	89	3	5	101	1	.....	.....	1	.....	.....
Illinois, southern district	.....	11	.....	8	19	.....	.....	.....	.....	.....	.....
Indiana	.....	13	2	3	18	2	.....	.....	2	.....	.....
Iowa	.....	22	.....	.....	22	.....	.....	.....	.....	.....	.....
Kansas	.....	.....	.....	20	20	.....	.....	.....	.....	.....	.....
Kentucky	.....	.....	.....	36	36	.....	.....	.....	.....	.....	.....
Louisiana	451	91	32	15	589	17	1	1	19	.....	.....
Maine	2	.....	.....	4	6	.....	.....	3	3	.....	.....
Maryland	6	11	.....	11	28	.....	1	.....	1	.....	.....
Massachusetts	109	132	.....	36	277	12	4	36	52	.....	.....
Michigan, eastern district	.....	7	.....	6	13	.....	.....	.....	.....	.....	.....
Michigan, western district	.....	.....	5	6	11	.....	.....	.....	.....	.....	.....
Minnesota	4	6	.....	11	21	.....	.....	.....	.....	.....	.....
Mississippi, northern district	.....	4	1	6	11	.....	.....	.....	.....	.....	.....
Mississippi, southern district	1	1	2	.....	4	2	.....	3	5	.....	.....
Missouri, eastern district	1	9	.....	13	23	.....	.....	.....	.....	.....	.....
Missouri, western district	.....	2	.....	3	5	.....	.....	.....	.....	.....	.....
Nebraska	.....	1	.....	2	3	.....	.....	.....	.....	.....	.....
Nevada	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
New Hampshire	1	2	.....	2	5	.....	.....	.....	.....	.....	.....
New Jersey	2	19	1	6	28	2	.....	2	4	.....	.....
New York, northern district	7	12	1	10	30	1	.....	2	3	.....	.....
New York, southern district	3,772	186	.....	20	3,978	245	86	595	926	1	15
New York, eastern district	4	47	.....	30	81	3	.....	.....	3	.....	.....
North Carolina, eastern district	1	45	1	1	48	2	.....	.....	2	.....	.....
North Carolina, western district	.....	39	4	1	44	.....	.....	.....	.....	.....	.....
Ohio, northern district	.....	7	.....	2	9	3	.....	.....	3	.....	.....
Ohio, southern district	.....	20	3	21	44	.....	.....	.....	.....	.....	.....
Oregon	.....	.....	.....	7	7	.....	.....	.....	.....	.....	.....
Pennsylvania, eastern district	69	196	1	54	320	8	.....	32	40	.....	3
Pennsylvania, western district	1	96	2	32	131	.....	.....	.....	.....	.....	.....
Rhode Island	.....	3	.....	.....	3	.....	.....	.....	.....	.....	.....
South Carolina	.....	2	.....	38	40	.....	.....	.....	.....	.....	.....
Tennessee, eastern district	.....	6	.....	2	8	.....	.....	.....	.....	.....	.....
Tennessee, middle district	.....	57	.....	.....	57	.....	.....	.....	.....	.....	.....
Tennessee, western district	1	72	1	22	96	1	.....	.....	1	.....	.....
Texas, eastern district	1	15	2	3	21	1	.....	.....	1	.....	.....
Texas, western district	.....	8	1	83	92	1	.....	.....	1	.....	.....
Vermont	3	.....	.....	2	5	.....	.....	.....	.....	.....	.....
Virginia, eastern district	3	5	.....	29	37	.....	.....	.....	.....	.....	.....
Virginia, western district	.....	38	2	8	48	.....	.....	.....	.....	.....	.....
West Virginia	.....	16	1	4	21	.....	.....	.....	.....	.....	.....
Wisconsin, eastern district	.....	7	.....	17	24	.....	1	.....	1	.....	.....
Wisconsin, western district	.....	.....	.....	1	1	.....	.....	.....	.....	.....	.....
Arizona	.....	.....	1	1	2	.....	.....	.....	.....	.....	.....
Dakota (no report)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
District of Columbia	.....	.....	.....	55	55	.....	.....	1	1	.....	.....
Idaho	.....	.....	.....	1	1	.....	.....	.....	.....	.....	.....
Montana (no report)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
New Mexico	.....	.....	4	3	7	.....	.....	.....	.....	.....	.....
Utah	.....	.....	8	2	10	.....	.....	.....	.....	.....	.....
Washington	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wyoming	.....	2	1	1	4	.....	.....	.....	.....	.....	.....
Total of each class of cases	4,484	1,369	124	787	6,764	312	106	686	1,104	1	18

party pending in the circuit and district courts of the United States on the 1st day of July, the fiscal year ending June 30, 1877.

States was a party terminated during the fiscal year ending June 30, 1877.

Internal-revenue suits.						Post-office suits.						Miscellaneous suits.					
Judgment for United States.	Judgment for defendant.	Dismissed or discontinued.	Total.	Appealed from district to circuit.	Appealed from circuit to Supreme.	Judgment for United States.	Judgment for defendant.	Dismissed or discontinued.	Total.	Appealed from district to circuit.	Appealed from circuit to Supreme.	Judgment for United States.	Judgment for defendant.	Dismissed or discontinued.	Total.	Appealed from district to circuit.	Appealed from cir cuit to Supreme.
11	.....	.....	11	.....	.....	3	.....	.....	3	.....	.....	13	.....	.....	13	.....	.....
4	.....	.....	4	1	.....	5	.....	.....	5	.....	.....	2	.....	1	3	.....	.....
1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	6	.....	2	8	.....	.....
7	2	1	10	.....	.....	3	.....	1	4	.....	2	.....	.....	.....	.....	.....	.....
1	1	.....	2	.....	.....	1	.....	.....	1	.....	.....	28	10	8	46	.....	.....
6	4	4	14	.....	.....	4	.....	.....	4	.....	.....	7	3	8	18	.....	4
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4	4	.....	.....
1	1	2	4	.....	.....	5	.....	.....	5	.....	.....	1	.....	.....	1	.....	.....
2	.....	.....	2	.....	.....	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....
1	.....	2	3	.....	.....	10	.....	5	15	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
14	7	8	29	.....	.....	1	.....	.....	1	.....	.....	41	1	15	57	.....	.....
2	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	1	.....	.....
17	1	4	22	1	.....	1	.....	.....	1	.....	.....	1	.....	1	2	.....	.....
2	.....	.....	2	.....	.....	1	.....	.....	1	.....	.....	3	.....	2	5	2	.....
5	.....	17	22	.....	.....	.....	.....	1	1	.....	.....	2	.....	.....	2	.....	.....
7	.....	.....	7	1	2	.....	.....	.....	.....	.....	.....	2	.....	.....	2	.....	1
.....	.....	.....	.....	.....	.....	2	.....	.....	2	.....	.....	2	1	11	14	.....	1
10	4	7	21	.....	.....	1	.....	.....	1	.....	.....	1	.....	.....	1	.....	.....
10	4	6	20	.....	1	4	.....	.....	4	.....	.....	7	.....	1	8	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	1	3	7	.....	1
4	4	2	10	1	1	.....	.....	.....	.....	.....	.....	2	12	3	17	.....	.....
15	.....	2	17	.....	.....	.....	.....	1	1	.....	.....	9	.....	3	12	.....	1
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	6	.....	.....	6	.....	.....
.....	.....	.....	.....	.....	.....	1	.....	2	3	.....	.....	2	.....	.....	2	.....	.....
1	.....	1	2	.....	.....	1	1	.....	2	.....	.....	8	1	2	11	.....	.....
1	.....	1	2	.....	.....	1	.....	.....	1	.....	.....	2	.....	18	20	.....	.....
1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	3	.....	.....	3	1	.....
12	.....	7	19	1	.....	.....	.....	.....	.....	.....	.....	3	.....	4	7	.....	.....
11	.....	.....	11	4	.....	.....	.....	1	1	.....	.....	4	1	1	6	.....	.....
1	2	1	4	.....	.....	2	.....	.....	2	.....	.....	1	.....	1	2	.....	.....
.....	.....	.....	.....	.....	.....	4	.....	1	5	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
28	4	11	43	.....	.....	.....	.....	.....	.....	.....	.....	4	.....	2	6	.....	.....
3	.....	3	6	.....	1	.....	.....	1	1	.....	.....	5	.....	6	11	.....	.....
68	4	86	158	2	2	4	.....	.....	4	.....	.....	4	.....	.....	4	.....	.....
24	.....	.....	24	.....	.....	1	.....	.....	1	.....	.....	6	.....	.....	6	1	.....
1	2	.....	3	.....	.....	.....	.....	1	1	.....	.....	3	.....	.....	3	.....	.....
29	.....	27	56	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3	1	5	9	.....	.....	.....	.....	.....	.....	.....	.....	2	.....	.....	2	.....	.....
19	.....	2	21	.....	.....	2	.....	.....	2	.....	.....	7	.....	2	9	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2	.....	.....	2	.....	.....
94	3	39	136	.....	.....	1	.....	.....	1	.....	.....	8	13	3	24	1	1
4	1	13	18	.....	.....	.....	.....	.....	.....	.....	.....	4	.....	4	8	.....	.....
1	.....	5	6	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	1	.....	.....
1	.....	1	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1	.....	.....	1	.....	.....	2	.....	.....	2	.....	.....	.....	.....	1	1	.....	.....
49	3	20	72	.....	.....	1	.....	.....	1	.....	.....	2	.....	.....	2	.....	.....
93	2	15	110	.....	1	1	.....	.....	1	.....	.....	4	2	3	9	1	1
22	1	9	32	.....	.....	2	.....	2	4	.....	.....	3	3	8	14	1	.....
1	1	.....	2	.....	.....	3	.....	.....	3	.....	.....	58	5	11	74	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
21	3	6	30	1	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	1	.....	.....
36	5	12	53	.....	.....	1	.....	.....	1	.....	.....	.....	2	.....	2	.....	.....
3	.....	.....	3	.....	.....	1	.....	.....	1	.....	.....	2	.....	.....	2	.....	.....
6	.....	.....	6	.....	5	1	.....	.....	1	.....	.....	10	.....	.....	10	.....	.....
2	.....	2	4	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	1	.....	.....
.....	.....	.....	.....	.....	.....	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4	1	4	9	.....	.....
1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3	.....	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	1	.....	.....
1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	1	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....
661	60	321	1,042	12	13	73	1	16	90	.....	2	292	56	132	480	7	10

EXHIBIT A.—*Statement showing the number of civil suits, &c.*—Continued.

Districts.	Aggregate amount, judgment for which has been in favor of the United States.	Amount actually realized.
Alabama, northern district		
Alabama, middle district	$2,308 58	$713 69
Alabama, southern district	33,882 58	4,261 02
Arkansas, eastern district	660 00	200 00
Arkansas, western district	5,519 07	2,199 55
California	91,365 14	10,520 61
Colorado		
Connecticut	2,168 63	2,168 63
Delaware	2,370 69	
Florida, northern district	11,025 81	
Florida, southern district		
Georgia, northern district	5,436 20	367 75
Georgia, southern district	1,394 51	1,208 45
Illinois, northern district	39,300 72	2,411 83
Illinois, southern district	1,517 93	91 05
Indiana	14,741 06	
Iowa	155,252 57	537 50
Kansas	19,289 93	1,716 74
Kentucky	4,247 91	284 32
Louisiana	45,148 85	3,667 32
Maine	237 97	71 22
Maryland	1,034 73	625 00
Massachusetts	89,067 73	77,582 68
Michigan, eastern district	851 88	593 79
Michigan, western district	13,591 10	
Minnesota	12,496 29	1,271 43
Mississippi, northern district	1,571 20	14 50
Mississippi, southern district	70,731 37	
Missouri, eastern district	43,447 13	42,827 95
Missouri, western district	58,558 52	5,013 00
Nebraska	1,759 23	907 21
Nevada	4,554 71	367 78
New Hampshire		
New Jersey	17,319 55	2,039 61
New York, northern district	23,561 96	16,403 78
New York, southern district	309,480 26	130,177 92
New York, eastern district	13,220 03	2,286 64
North Carolina, eastern district	11,824 51	9,284 73
North Carolina, western district	5,900 00	200 00
Ohio, northern district	409 38	43 81
Ohio, southern district	51,073 23	11,154 89
Oregon	13,039 02	
Pennsylvania, eastern district	1,815,509 38	1,595,825 66
Pennsylvania, western district	60,800 00	
Rhode Island	1,001 00	1,001 00
South Carolina		
Tennessee, eastern district	133 89	22 75

EXHIBIT A.—*Statement showing the number of civil suits, &c.*—Continued.

Districts.	Aggregate amount, judgment for which has been in favor of the United States.	Amount actually realized.
Tennessee, middle district	$902,006 46	$7,730 55
Tennessee, western district	4,139 50	.....
Texas, eastern district	42,911 27	6 00
Texas, western district	16,063 49	70 00
Vermont	.....	.....
Virginia, eastern district	27,086 55	3,100 00
Virginia, western district	38,784 36	6,119 07
West Virginia	3,953 72	522 50
Wisconsin, eastern district	9,087 57	3,153 87
Wisconsin, western district	9,785 35	248 30
Arizona	2,641 41	2,641 41
Dakota	(*)	(*)
District of Columbia	17,915 64	6,517 60
Idaho	8,357 70	1,791 21
Montana	(*)	(*)
New Mexico	.....	.....
Utah	293 99	293 99
Washington	1,574 18	.....
Wyoming	369 21	369 21
Total	4,141,774 65	1,960,627 52

* No report.

EXHIBIT B.—*Statement showing the number of criminal cases pending in the circuit and nated during the fiscal year*

Districts.	Criminal cases pending July 1, 1877.								Criminal					
									Customs.				Internal	
	Customs prosecutions.	Internal-revenue prosecutions.	Post-office prosecutions.	Prosecutions under enforcement acts.	Prosecutions under naturalization laws.	Prosecutions for embezzlement.	Miscellaneous prosecutions.	Total.	Convictions.	Acquittals.	Nolled, discontinued, or quashed.	Total.	Convictions.	Acquittals.
Alabama, northern district	...	169	2	2	....	2	14	189	....	....	....	..	37	96
Alabama, middle district	....	131	....	4	....	1	44	180	....	....	....	....	37	14
Alabama, southern district	....	15	1	7	...	....	6	29	....	....	2	2	8	...
Arkansas, eastern district	....	9	....	....	....	....	1	10	....	....	....	....	10	6
Arkansas, western district	...	1	....	....	...	...	22	23	....	....	....	...	12	5
California	1	75	2	....	3	...	59	140	...	....	1	1	62	8
Colorado	....	.....	1	....	....	3	12	16	....	....	....	....	1	2
Connecticut	....	9	8	....	....	3	9	29	....	....	....	....	4	1
Delaware	....	.....	....	11	....	...	5	16	....	....	....	....	1	....
Florida, northern district	3	16	1	5	....	6	2	33	....	....	6	6	34	....
Florida, southern district	....	.....	....	....	...	....	.....	.....	....	....	....	....	.....	....
Georgia, northern district	....	3	....	7	...	....	9	19	....	....	....	....	902	70
Georgia, southern district	....	13	3	5	...	....	4	25	....	....	....	....	.....	2
Illinois, northern district	1	66	9	....	....	....	33	109	....	....	....	....	15	3
Illinois, southern district	....	33	5	....	....	1	17	56	....	....	....	....	24	4
Indiana	....	37	5	....	....	1	20	63	....	....	....	....	4	....
Iowa	....	134	20	....	....	....	26	180	....	....	....	....	115	23
Kansas	....	23	....	...	....	....	40	63	....	....	....	....	7	....
Kentucky	....	159	3	...	....	....	1	163	....	....	....	....	43	6
Louisiana	36	333	8	5	....	14	71	467	....	....	6	6	3	16
Maine	1	4	1	....	1	....	7	14	3	....	6	9	4	1
Maryland	....	5	1	1	....	..	10	17	3	....	....	3	10	3
Massachusetts	16	164	12	....	2	2	67	263	2	....	3	5	41	9
Michigan, eastern district	24	66	....	....	....	1	20	111	1	....	4	5	35	....
Michigan, western district	....	13	....	....	....	....	45	58	4	1	10	15	.....	....
Minnesota	....	1	....	....	...	...	4	5	5	....	1	6	2	1
Mississippi, northern district	....	130	5	43	....	1	5	184	....	....	....	....	41	27
Mississippi, southern district	....	13	5	7	....	...	.....	25	....	....	....	....	33	1
Missouri, eastern district	....	97	1	....	....	...	9	107	....	...	....	....	54	6
Missouri, western district	....	6	2	....	...	...	7	15	....	...	....	....	39	1
Nebraska	....	14	....	....	....	...	12	26	....	....	....	....	40	2
Nevada	....	.....	1	....	....	...	.....	1	....	....	....	....	.....	....
New Hampshire	....	.....	....	....	....	1	11	12	....	....	2	2	1	1
New Jersey	4	57	2	....	....	1	17	81	....	....	....	....	28	7
New York, northern district	29	77	11	5	5	1	75	203	10	2	1	13	59	3
New York, southern district	11	31	5	....	....	....	20	67	....	....	4	4	8	1
New York, eastern district	....	24	3	....	....	...	17	44	1	....	....	1	13	1
North Carolina, eastern district	....	64	2	....	....	....	1	67	....	...	....	....	1	10
North Carolina, western district	....	159	....	....	....	...	2	161	....	....	....	....	110	35
Ohio, northern district	....	7	....	....	7	...	2	16	....	....	....	....	29	....
Ohio, southern district	...	21	10	....	1	....	27	59	....	....	....	....	4	1
Oregon	....	4	....	....	....	....	5	9	....	....	....	....	3	2
Pennsylvania, eastern district	....	19	16	....	....	4	56	95	...	....	....	....	13	1
Pennsylvania, western district	....	129	31	....	....	....	56	216	....	....	....	....	20	2
Rhode Island	....	8	....	....	....	...	7	15	....	....	....	....	2	1
South Carolina	....	129	....	195	....	1	.....	325	1	....	....	1	85	39
Tennessee, eastern district	....	364	2	....	....	....	12	378	....	....	....	....	166	3
Tennessee, middle district	....	319	....	....	....	....	.....	319	....	....	....	....	80	27
Tennessee, western district	....	61	5	....	....	2	27	95	....	....	....	....	37	5
Texas, eastern district	....	46	4	....	....	...	.....	50	....	...	....	....	57	5
Texas, western district	....	530	31	6	....	5	45	617	...	....	....	....	88	10
Vermont	1	2	....	....	....	....	2	5	....	....	....	....	.....	....
Virginia, eastern district	....	4	6	....	....	....	5	15	....	....	....	....	15	1
Virginia, western district	....	251	7	....	...	4	20	282	....	....	...	....	79	36
West Virginia	....	301	5	....	....	....	4	310	....	....	....	....	41	39
Wisconsin, eastern district	....	5	1	....	....	....	2	8	....	....	....	....	7	1
Wisconsin, western district	....	3	3	....	....	....	10	16	....	....	....	....	1	1
Arizona	....	.....	....	2	....	...	4	6	....	....	....	....	.....	....
Dakota*	....	.....	....	....	....	....	.....	.....	....	....	....	....	.....	....
District of Columbia	....	.....	....	....	....	...	381	381	....	....	....	....	.....	....
Idaho	....	.....	....	....	....	....	.....	.....	....	....	....	....	.....	....
Montana*	....	.....	....	....	....	....	.....	.....	....	....	....	....	.....	....
New Mexico	17	62	....	....	....	2	36	117	....	4	....	4	13	105
Utah	....	.....	....	....	....	....	7	7	....	....	....	....	3	....
Washington	....	.....	....	....	....	....	21	21	....	....	....	....	.....	....
Wyoming	....	1	....	....	....	...	2	5	....	....	....	....	2	....
Total of each class of cases	144	4,307	240	305	19	58	1,465	6,538	30	7	46	83	2,576	574

* No report.

district courts of the United States on the 1st day of July, 1877, with the number termi-ending June 30, 1877.

cases terminated during the fiscal year ending June 30, 1877.

revenue.		Post-office.				Enforcement acts.				Naturalization laws.				Embezzlement.				Miscellaneous.			
Nolled, discontinued, or quashed.	Total.	Convictions.	Acquittals.	Nolled, discontinued, or quashed.	Total.	Convictions.	Acquittals.	Nolled, discontinued, or quashed.	Total.	Convictions.	Acquittals.	Nolled, discontinued, or quashed.	Total.	Convictions.	Acquittals.	Nolled, discontinued, or quashed.	Total.	Convictions.	Acquittals.	Nolled, discontinued, or quashed.	Total.
143	206	2	1	1	4	1	...	4	5	...	...	...	...	2	...	...	2	5	1	7	13
110	161	1	1	2	4	....	...	25	25	....	...	...	...	...	...	2	2	4	...	11	15
6	14	1	...	...	1	...	1	...	1	...	...	...	...	...	...	...	...	4	2	3	9
14	30	5	...	...	5	....	...	...	...	...	...	...	...	...	...	...	...	6	...	...	6
10	27	1	...	...	1	....	....	...	...	...	...	...	...	...	...	...	...	48	30	76	154
109	179	2	1	1	4	....	...	...	....	4	5	..	9	....	...	...	...	11	11	7	29
....	3	....	6	7	13	....	...	...	...	...	..	...	...	....	...	...	...	2	1	6	9
18	23	4	....	4	8	....	..	...	..	1	...	3	4	...	...	...	....	6	1	18	25
7	8	...	....	....	....	4	...	...	4	...	...	...	....	1	....	...	1	1	....	....	1
74	108	1	....	....	1	....	....	7	7	...	...	...	....	1	...	5	6	1	....	10	11
.....	.....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....
99	1,071	8	2	3	13	....	...	22	22	...	...	...	...	...	...	...	...	4	3	17	24
9	11	2	...	...	2	....	....	3	3	1	...	...	1	...	...	...	...	...	....	....	.....
40	58	1	....	1	2	....	....	...	...	...	...	...	...	...	...	...	...	7	....	8	15
23	51	3	1	...	4	....	....	...	...	...	...	...	...	...	...	...	...	21	3	13	37
20	24	9	....	5	14	....	2	...	2	...	...	...	...	...	...	...	...	14	4	20	38
30	168	1	...	...	1	...	....	...	...	...	...	...	...	...	...	...	...	11	....	...	11
2	9	....	....	1	1	....	....	...	...	....	...	...	....	1	...	5	6	17	3	14	34
81	130	1	...	...	1	....	...	42	42	...	...	...	...	...	...	...	....	1	...	...	1
325	344	2	....	1	3	2	....	...	2	...	...	...	...	...	...	...	...	7	4	12	23
.....	5	6	....	2	8	....	..	...	...	...	...	...	...	...	...	...	...	1	2	...	3
9	22	7	...	...	7	2	1	1	4	1	2	..	3	...	...	...	...	23	23	12	58
78	128	4	3	11	18	....	....	...	...	...	...	3	3	1	1	....	2	35	3	28	66
43	78	....	....	1	1	....	....	...	...	...	...	...	...	...	...	...	....	3	....	...	3
3	3	....	....	....	....	....	....	....	....	....	...	....	....	....	....	....	....	....	....	8	8
.....	3	....	....	....	....	....	....	....	....	....	...	....	....	....	....	....	....	12	1	....	13
8	76	2	...	2	4	....	1	1	2	...	...	...	...	...	...	...	...	1	1	....	2
5	39	5	1	4	10	....	....	4	4	...	..	...	...	...	...	...	...	....	....	....	.....
39	99	3	1	1	5	....	....	....	....	....	...	..	....	....	....	....	...	8	6	7	21
28	68	10	....	2	12	....	....	2	2	...	..	...	....	1	....	1	2	3	...	9	12
20	62	...	....	....	....	....	....	....	....	...	..	...	....	....	....	....	...	15	2	20	37
.....	.....	1	...	....	1	....	....	....	....	...	..	...	....	....	....	....	...	....	....	....	.....
5	7	....	...	1	1	....	....	....	..	...	..	...	....	....	....	....	....	7	1	4	12
1	34	...	....	....	....	....	....	....	....	...	..	...	....	1	....	....	1	7	3	1	11
4	57	20	3	4	27	26	...	7	33	...	...	...	....	...	....	....	....	11	2	...	13
23	27	14	1	13	28	...	3	2	5	9	..	1	10	...	...	...	....	17	5	5	27
37	51	2	1	1	4	....	....	....	....	...	..	...	....	....	....	....	....	8	2	2	12
21	42	1	...	....	1	...	....	....	....	...	..	...	....	....	....	....	....	....	....	....	.....
153	307	....	....	....	....	1	....	1	2	...	....	...	....	....	....	....	..	2	....	4	6
15	35	6	...	4	10	...	...	...	....	1	..	...	1	...	...	2	2	11	...	9	20
7	12	9	1	1	11	....	....	....	....	1	..	...	1	...	...	...	....	38	4	16	58
2	7	....	....	....	....	....	....	....	....	....	..	....	....	....	....	....	...	16	4	4	24
.....	13	6	2	....	8	...	....	....	....	....	..	....	....	....	1	...	1	37	17	....	54
30	52	2	1	....	3	....	....	....	....	....	..	....	....	....	....	....	...	22	2	6	30
9	12	1	....	....	1	....	....	....	....	....	..	....	....	....	....	....	....	2	....	....	2
30	154	6	2	....	8	2	3	53	58	...	...	...	....	....	....	....	...	6	1	....	7
118	287	7	....	....	7	....	....	....	....	....	..	....	....	....	....	....	....	1	....	24	25
55	162	....	....	....	....	....	....	....	....	....	..	....	....	....	....	....	....	....	....	....	.....
39	81	....	....	....	....	....	....	9	9	....	....	....	....	....	....	....	....	16	6	16	38
61	123	....	3	3	6	....	....	....	....	....	..	....	....	....	....	....	....	....	6	1	7
646	744	3	1	8	12	....	....	2	2	....	..	....	....	1	....	1	2	1	2	13	16
3	3	...	....	....	....	....	....	....	....	....	..	....	....	....	....	1	1	....	....	....	.....
7	23	1	3	2	6	....	....	....	....	....	..	....	....	....	....	....	....	1	....	2	3
56	171	3	....	1	4	....	....	....	....	....	..	....	....	....	....	1	1	1	2	....	3
25	105	3	....	....	3	....	....	....	....	....	..	....	....	....	....	....	....	5	....	....	5
30	38	1	....	....	1	....	....	....	....	....	..	....	....	....	....	....	....	16	1	1	18
.....	2	....	1	....	1	....	....	....	....	....	..	....	....	....	....	....	....	1	1	2	4
1	1	1	...	....	1	....	....	....	....	....	..	....	....	....	....	....	..	2	....	....	2
.....	.....	....	....	....	....	....	....	....	....	....	..	....	....	....	....	....	....	....	....	....	.....
2	2	3	....	1	4	....	....	....	....	....	...	....	....	6	1	....	7	233	69	33	335
.....	.....	....	...	....	....	....	....	....	....	....	..	....	....	....	....	....	....	2	...	4	6
.....	.....	....	....	....	....	....	....	....	....	....	..	....	....	....	....	....	....	....	....	....	.....
4	122	....	....	1	1	....	....	....	....	....	..	....	....	....	....	1	1	6	15	8	29
.....	3	5	....	....	5	....	....	....	....	....	..	....	....	....	....	....	....	1	...	1	2
.....	.....	....	....	....	....	....	....	....	....	....	..	....	....	....	....	....	....	14	5	2	21
3	5	....	....	46	46	....	....	....	....	....	..	....	....	....	....	....	....	8	....	4	12
2,740	5,890	176	36	135	347	38	11	185	234	18	7	7	32	15	3	19	37	763	249	468	1,480

EXHIBIT B.—*Statement showing the number of criminal cases, &c.*—Continued.

Districts	Aggregate amount of fines, forfeitures, and penalties, in criminal cases.	Amount realized.
Alabama, northern district	$13,500 00	.....
Alabama, middle district	8,750 00	.....
Alabama, southern district	847 00	$156 00
Arkansas, eastern district	20,496 45	203 65
Arkansas, western district	2,306 00	60 00
California	17,560 00	1,121 00
Colorado	.....	.....
Connecticut	1,630 19	1,630 19
Delaware	2,370 69	.....
Florida, northern district	296 56	296 56
Florida, southern district	.....	.....
Georgia, northern district	20 00	.....
Georgia, southern district	13,397 00	54 52
Illinois northern district	20,800 00	14,600 00
Illinois, southern district	5,970 00	870 00
Indiana	1,850 00	1,295 00
Iowa	6,150 00	2,363 62
Kansas	4,380 00	1,871 00
Kentucky	3,050 00	.....
Louisiana	25,132 43	.....
Maine	492 00	50 00
Maryland	2,773 03	1,372 03
Massachusetts	2,245 00	1,919 00
Michigan, eastern district	840 00	840 00
Michigan, western district	158 70	158 70
Minnesota	780 50	160 00
Mississippi, northern district	3,116 65	592 11
Mississippi, southern district	2,621 34	602 99
Missouri, eastern district	22,404 00	62 00
Missouri, western district	11,232 31	285 00
Nebraska	721 56	494 81
Nevada	200 00	200 00
New Hampshire	100 00	75 00
New Jersey	1,630 15	1,630 15
New York, northern district	19,581 62	4,720 00
New York, southern district	7,216 00	700 00
New York, eastern district	7,509 00	100 00
North Carolina, eastern district	1,413 55	500 00
North Carolina, western district	8,002 07	3,398 43
Ohio, northern district	1,845 00	337 33
Ohio, southern district	11,940 00	2,625 00
Oregon	445 00	392 74
Pennsylvania, eastern district	731 01	325 00
Pennsylvania, western district	29,775 00	200 00
Rhode Island	1,110 00	100 00
South Carolina	17,800 17	8,700 00
Tennessee, northern district	12,620 00	635 00

EXHIBIT B.—*Statement showing the number of criminal cases, &c.*—Continued.

Districts.	Aggregate amount of fines, forfeitures, and penalties, in criminal cases.	Amount realized.
Tennessee, middle district	$17,272 00	$1,633 00
Tennessee, western district	5,000 00	500 00
Texas, eastern district	85 00	54 00
Texas, western district	8,391 21	6,073 03
Vermont	.....	.....
Virginia, eastern district	5,000 00	.....
Virginia, western district	5,900 00	215 00
West Virginia	2,396 00	466 00
Wisconsin, eastern district	5,000 00	4,500 00
Wisconsin, western district	100 00	.....
Arizona	68 85	.....
Dakota*	.....	.....
District of Columbia	1,927 25	1,365 90
Idaho	150 00	.....
Montana*	.....	.....
New Mexico	1,470 00	.....
Utah	200 00	200 00
Washington	.....	.....
Wyoming	20 00	20 00
Total	370,790 29	70,723 76

* No report.

EXHIBIT C.—*Statement showing the number of civil suits, to which the United States was not a party, commenced and terminated in the circuit and district courts of the United States during the fiscal year ending June 30, 1877, and of those pending July 1, 1877.*

Districts.	Number commenced during the fiscal year ending June 30, 1877.			Number terminated during the fiscal year ending June 30, 1877.										Number pending July 1, 1877.		
				Admiralty.					Other suits.							
	Admiralty.	Other suits.	Total.	Judgment for plaintiff.	Judgment for defendant.	Dismissed or discontinued.	Not stated.	Total.	Judgment for plaintiff.	Judgment for defendant.	Dismissed or discontinued.	Not stated.	Total.	Admiralty.	Other suits.	Total.
Alabama, northern district	.....	19	19	.....	.....	.....	.....	.....	3	4	.....	.....	7	.....	102	102
Alabama, middle district	1	92	93	1	.....	.....	.....	1	45	12	.....	.....	57	.....	96	96
Alabama, southern district	30	23	53	29	.....	.....	.....	29	38	.....	.....	.....	38	13	31	44
Arkansas, eastern district	1	184	185	.....	.....	1	.....	1	78	4	.....	27	109	.....	112	112
Arkansas, western district	.....	45	45	.....	.....	.....	.....	.....	29	2	.....	.....	31	.....	37	37
California	59	92	151	25	5	.....	.....	30	14	27	.....	.....	41	27	390	417
Colorado	.....	52	52	.....	.....	.....	.....	.....	1	4	.....	.....	5	.....	52	52
Connecticut	5	100	105	2	.....	.....	.....	2	29	9	.....	39	77	6	226	232
Delaware	22	24	46	2	.....	.....	5	7	9	2	.....	3	14	17	27	44
Florida, northern district*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Florida, southern district	36	.....	36	37	1	.....	.....	38	.....	.....	.....	.....	.....	.....	6	6
Georgia, northern district	.....	48	48	.....	.....	.....	.....	.....	34	4	.....	27	65	.....	96	96
Georgia, southern district	1	75	76	4	1	.....	.....	5	70	33	.....	.....	103	3	238	241
Illinois, northern district	118	1,116	1,234	67	6	.....	.....	73	570	217	.....	.....	787	204	2,576	2,780
Illinois, southern district	11	307	318	2	.....	6	.....	8	155	15	.....	1	171	8	674	682
Indiana*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Iowa	7	555	562	.....	.....	.....	5	5	333	57	.....	.....	390	.....	638	638
Kansas	.....	330	330	.....	.....	.....	.....	.....	268	55	.....	.....	323	.....	348	348
Kentucky	7	65	72	5	.....	1	.....	6	35	.....	49	.....	84	5	47	52
Louisiana	104	445	549	55	8	.....	.....	63	349	38	.....	1	388	110	875	985
Maine	28	41	69	7	19	.....	.....	26	28	9	.....	.....	37	2	64	66
Maryland	112	50	162	34	29	.....	.....	63	13	12	.....	17	42	22	50	72
Massachusetts	93	304	397	32	66	.....	1	99	113	142	.....	77	332	113	1,382	1,495
Michigan, eastern district	836	271	1,107	541	23	.....	.....	564	154	32	.....	.....	186	688	.....	688
Michigan, western district	111	248	359	103	4	.....	.....	107	85	.....	.....	.....	85	.....	192	192
Minnesota	7	179	186	5	1	.....	.....	6	.....	.....	.....	.....	.....	3	221	224
Mississippi, northern district	.....	45	45	.....	.....	.....	.....	.....	24	.....	3	.....	27	.....	78	78
Mississippi, southern district	8	89	97	6	4	.....	.....	10	37	47	.....	.....	84	5	111	116
Missouri, eastern district	.....	175	175	74	5	.....	.....	79	51	13	.....	95	159	5	201	206
Missouri, western district	3	173	176	2	.....	.....	.....	2	125	176	.....	.....	301	1	223	224
Nebraska	.....	104	104	.....	.....	.....	.....	.....	50	.....	.....	.....	50	.....	154	154
Nevada	.....	43	43	.....	.....	.....	.....	.....	5	4	11	.....	20	.....	46	46

New Hampshire	.....	17	17	.....	.....	.....	.....	.....	5	.....	.....	17	22	.....	42	42
New Jersey	66	54	120	22	5	.....	23	50	6	3	4	.....	13	16	41	57
New York, northern district	2	189	191	1	.....	.....	.....	1	26	22	.....	17	65	.....	1,485	1,485
New York, southern district	278	440	718	61	11	.....	78	150	55	28	.....	.....	83	174	4,757	4,931
New York, eastern district	363	176	539	.....	.....	.....	150	150	.....	.....	.....	12	12	.....	.....	.....
North Carolina, eastern district	1	37	38	.....	.....	.....	.....	.....	22	12	.....	.....	34	1	70	71
North Carolina, western district	.....	121	121	.....	.....	.....	.....	.....	44	8	.....	16	68	.....	92	92
Ohio, northern district	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	1	.....	1	1
Ohio, southern district*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Oregon	5	46	51	1	.....	.....	.....	1	21	40	.....	.....	61	4	22	26
Pennsylvania, eastern district	121	200	321	55	4	.....	42	101	42	35	.....	50	127	126	663	789
Pennsylvania, western district	19	26	45	6	4	.....	.....	10	10	5	.....	.....	15	17	30	47
Rhode Island	2	28	30	.....	.....	13	.....	13	5	1	.....	39	45	2	87	89
South Carolina	.....	73	73	.....	.....	.....	.....	.....	47	18	.....	.....	65	.....	109	109
Tennessee, eastern district	.....	20	20	.....	.....	.....	.....	.....	5	2	.....	.....	7	3	90	93
Tennessee, middle district	.....	54	54	1	.....	.....	.....	1	36	21	.....	.....	57	.....	50	50
Tennessee, western district	30	200	230	7	63	.....	.....	70	132	88	.....	.....	220	80	500	580
Texas, eastern district	26	47	73	17	27	.....	.....	44	28	21	.....	.....	49	14	99	113
Texas, western district	.....	110	110	.....	.....	.....	.....	.....	80	40	.....	8	128	.....	318	318
Vermont	4	41	45	.....	.....	.....	4	4	9	5	.....	8	22	.....	79	79
Virginia, eastern district	50	60	110	18	3	.....	.....	21	33	9	.....	42	84	7	155	162
Virginia, western district	.....	61	61	.....	.....	.....	.....	.....	38	3	.....	18	59	.....	94	94
West Virginia	4	39	43	3	.....	.....	.....	3	31	.....	.....	11	42	8	290	298
Wisconsin, eastern district	29	174	203	21	.....	14	.....	35	53	5	.....	44	102	16	324	340
Wisconsin, western district	3	148	151	1	.....	.....	.....	1	39	2	.....	68	109	4	175	179
Total of each class of cases	2,603	7,655	10,258	1,247	289	35	308	1,879	3,512	1,286	68	637	5,503	1,710	18,860	20,570

*No report.

EXHIBIT C.—*Statement showing the number of civil suits, to which the United States was not a party, commenced and terminated, &c.*—Continued.

Districts.	Amount of judgments for plaintiffs.			Amount of judgments for defendants.			Remarks.
	Admiralty.	Other suits.	Total.	Admiralty.	Other suits.	Total.	
Alabama, northern district		$2,086 27	$2,086 27				
Alabama, middle district	$175 00	1,478,970 46	1,479,145 46				
Alabama, southern district	2,425 41	164,856 31	167,281 72				
Arkansas, eastern district		333,511 88	333,511 88				
Arkansas, western district		69,399 75	69,399 75				
California	11,158 74	33,991 60	45,150 34		$1,443 42	$1,443 42	
Colorado							No report.
Connecticut	9,200 00	36,019 00	45,219 00	$6 00	226 00	232 00	
Delaware	1,365 78	508,387 91	509,753 69				
Florida, northern district							No report.
Florida, southern district	56,087 94		56,087 94				
Georgia, northern district		49,777 22	49,777 22		179 61	179 61	
Georgia, southern district		163,694 09	163,694 09				
Illinois, northern district	54,295 74	4,789,822 04	4,844,117 78	1,184 27	2,052 84	3,237 11	
Illinois, southern district	250 00	1,621,979 90	1,622,229 90				
Indiana							No report.
Iowa		8,583,695 05	8,583,695 05		57 00	57 00	
Kansas		1,744,999 00	1,744,999 00		3,000 00	3,000 00	
Kentucky		142,124 84	142,124 84				
Louisiana	240,899 50	978,002 83	1,218,902 33	15,298 35	2,774 27	18,072 62	
Maine	1,731 19	47,302 86	49,034 05		1,216 66	1,216 66	
Maryland	53,190 17	7,607 09	60,797 26				
Massachusetts	38,780 76	197,414 35	236,195 11	26 00	2,283 91	2,309 91	
Michigan, eastern district	117,552 06	4,467,736 11	4,585,288 17				
Michigan, western district	7,182 45	142,560 38	149,742 83	302 08		302 08	
Minnesota	6,764 38	6,098,260 74	6,105,025 12	123 28	2,663 76	2,787 04	
Mississippi, northern district		66,029 36	66,029 36				
Mississippi, southern district	4,169 60	103,399 57	107,569 17	35 90	8,440 11	8,476 01	
Missouri, eastern district	32,925 65	365,096 11	398,021 76				
Missouri, western district		205,716 14	205,716 14				
Nebraska		83,332 56	83,332 56				
Nevada		12,030 79	12,030 79				
New Hampshire		30,796 01	30,796 01		304 25	304 25	
New Jersey		20,705 51	20,705 51		30 25	30 25	
New York, northern district	11,784 30	2,283 60	14,067 90				
New York, southern district	57,368 96	137,909 36	195,278 32	2,191 35	780 54	2,971 89	
New York, eastern district	90,627 85	10,864 10	101,491 95	1,763 18	85 03	1,848 21	
North Carolina, eastern district		70,389 27	70,389 27		479 21	479 21	
North Carolina, western district		34,166 88	34,166 88		745 71	745 71	
Ohio, northern district							No report.
Ohio, southern district							No report.
Oregon		32,818 32	32,818 32				

					503 91	503 91
Pennsylvania, eastern district	52,783 83	141,822 33	194,606 16			
Pennsylvania, western district	6,583 39	162 26	6,745 65			
Rhode Island		15,844 15	15,844 15			
South Carolina		104,158 00	104,158 00			
Tennessee, eastern district		7,901 26	7,901 26			
Tennessee, middle district		45,162 88	45,162 88			
Tennessee, western district	3,000 00	1,100,000 00	1,103,000 00		10,000 00	10,000 00
Texas, eastern district	10,075 35	2,025,177 28	2,035,252 63	100 00		100 00
Texas, western district		172,418 21	172,418 21		14,400 00	14,400 00
Vermont		54,456 58	54,456 58			
Virginia, eastern district	4,112 62	37,489 94	41,602 56		257 13	257 13
Virginia, western district		47,318 92	47,318 92		105 50	105 50
West Virginia	3,820 00	23,714 82	27,534 82		723 00	723 00
Wisconsin, eastern district	18,563 97	178,140 21	196,704 18		176 35	176 35
Wisconsin, western district	2,483 96	275,573 47	278,057 43		76 10	76 10
Total	899,358 60	37,067,077 57	37,966,436 17	21,030 41	53,004 56	74,034 97

EXHIBIT D.—*Statement of the expenditures made by the Department of Justice out of the appropriation of three million dollars to defray the expenses of the courts of the United States during the fiscal year ending with the 30th of June, 1877.*

Districts.	I. Marshals.	II. Attorneys.	III. Clerks.	IV. Commissioners.	V. Rents.	VI. Miscellaneous.	VII. Totals.
Alabama, northern district	$31,125 00	$6,547 60	$1,362 45	$575 40	$750 00	$70 00	$40,430 45
Alabama, middle district	20,000 00	2,547 86	1,777 95	1,125 80	1,500 00	.....	26,951 61
Alabama, southern district	13,980 00	2,089 80	1,283 40	865 85	.....	.....	18,219 05
Arizona	6,937 00	598 00	295 35	41 60	.....	.....	7,871 95
Arkansas, eastern district	24,100 00	2,300 00	3,170 95	541 75	1,050 00	6,834 65	37,997 35
Arkansas, western district	82,945 30	4,960 50	3,351 07	2,193 35	.....	6,592 30	100,042 52
California	52,994 00	16,436 94	4,311 60	1,480 65	11,000 00	156 40	86,379 59
Colorado	15,000 00	2,159 76	647 00	44 15	.....	.....	17,850 91
Connecticut	9,270 00	1,603 48	306 21	148 60	240 00	310 28	11,878 57
Dakota	29,176 00	1,562 00	555 83	352 15	2,257 36	.....	33,903 34
Delaware	6,776 00	914 65	478 65	88 95	.....	.....	8,258 25
District of Columbia	54,920 00	22,985 76	.....	.....	.....	2,117 28	}
Supreme court	23,600 00	.....	.....	.....	.....	.....	179,123 04
United States jail	.....	.....	.....	.....	.....	75,500 00	}
Florida, northern district	19,045 00	1,658 00	948 00	581 25	825 00	.....	23,057 25
Florida, southern district	4,200 00	.....	98 30	38 05	750 00	.....	5,086 35
Georgia, northern district	61,605 00	10,964 05	6,212 20	7,416 35	1,500 00	.....	87,697 60
Georgia, southern district	24,300 00	1,500 00	621 00	88 00	.....	.....	26,509 00
Idaho	8,254 00	1,695 60	485 05	.....	750 00	169 30	11,353 95
Illinois, northern district	35,263 00	7,243 90	.....	1,349 10	.....	2,843 50	46,699 50
Illinois, southern district	25,870 00	1,385 40	520 00	262 15	.....	.....	28,037 55
Indiana	12,617 00	1,635 00	.....	317 65	.....	.....	14,569 65
Iowa	57,000 00	12,790 05	2,568 65	1,447 75	725 00	.....	74,531 45
Kansas	27,000 00	2,223 94	805 25	771 95	225 00	.....	31,026 14
Kentucky	61,000 00	3,622 00	2,642 05	1,502 75	225 00	1,312 00	70,303 80
Louisiana	53,245 00	7,273 37	2,131 80	4,793 68	.....	24 15	67,468 00
Maine	11,770 00	.....	624 25	27 10	.....	.....	12,421 35
Maryland	32,150 00	5,840 00	2,085 85	1,949 12	.....	1,071 00	43,095 97
Massachusetts	33,000 00	11,507 28	1,362 90	2,069 75	.....	.....	47,879 93
Michigan, eastern district	22,425 00	5,490 00	1,124 20	66 20	.....	661 98	29,767 38
Michigan, western district	12,000 00	1,098 20	807 86	141 90	600 00	.....	14,647 96
Minnesota	20,050 00	1,641 60	1,041 40	1,439 75	.....	.....	24,172 75
Mississippi, northern district	15,600 00	5,655 00	2,067 00	.....	120 00	.....	23,442 00
Mississippi, southern district	11,530 00	1,940 38	780 21	38 90	.....	.....	14,289 49
Missouri, eastern district	63,300 00	6,595 00	916 35	515 55	.....	160 05	71,486 95
Missouri, western district	29,885 00	2,516 50	681 75	193 85	1,650 00	.....	34,927 10
Montana	16,100 00	631 00	262 55	43 05	836 30	.....	17,872 90
Nebraska	23,986 00	1,902 60	1,480 35	348 70	.....	.....	27,717 65
Nevada	7,895 00	442 40	769 20	.....	.....	.....	9,106 60
New Hampshire	6,000 00	925 80	458 30	85 45	150 00	.....	7,619 55
New Jersey	21,020 00	2,525 00	1,355 70	851 10	.....	.....	25,751 80

New Mexico	29,556 00	2,990 00	1,301 47	45 50			33,892 97
New York, northern district	83,550 00	8,427 34	503 05	9,946 25	312 50	7,479 78	110,218 92
New York, southern district	115,880 00	27,948 03	1,881 45	6,556 25			152,265 73
New York, eastern district	31,300 00	4,914 99	1,357 77	3,059 25	11,250 00	44 82	51,926 83
North Carolina, eastern district	17,500 00	1,619 60	1,318 81	643 40	1,125 00		22,206 81
North Carolina, western district	41,994 00	4,363 50	2,403 20	3,807 90			52,568 60
Ohio, northern district	20,600 00	3,125 00	1,728 83	949 20			26,403 03
Ohio, southern district	36,980 00	18,772 32	2,460 50	1,279 00		111 40	59,603 22
Oregon	26,306 00	2,501 20	997 02	67 60			29,871 82
Pennsylvania, eastern district	37,500 00	4,984 40	2,136 20	724 65			45,345 25
Pennsylvania, western district	33,004 00	5,595 84	1,968 65	267 15	100 00		40,935 64
Rhode Island	5,500 00	1,113 04	431 80	366 36			7,411 20
South Carolina	66,130 00	7,133 96	2,336 59	7,496 76		741 25	83,838 56
Tennessee, eastern district	40,000 00	5,135 23	3,313 79	1,740 90			50,189 92
Tennessee, middle district	22,500 00	3,039 20	1,373 91	1,138 93	1,875 00		29,927 04
Tennessee, western district	28,500 00	4,480 45	1,594 15	1,830 65	1,875 00		38,280 25
Texas, eastern district	25,333 00	2,166 80	1,794 21	73 25	900 00		30,267 26
Texas, western district	44,750 00	2,217 40	2,881 90	1,336 50	2,062 50		53,248 30
Utah	13,606 00	3,869 01	392 70	115 10	1,797 00		19,779 81
Vermont	6,300 00	375 00	324 50	16 00			7,015 50
Virginia, eastern district	19,862 50	5,191 65	2,604 80	208 85			27,867 80
Virginia, western district	35,750 00	5,515 85	3,682 31	1,544 45	625 00	150 00	47,297 61
Washington	23,084 00	1,454 00	1,292 29	10 05			25,840 34
West Virginia	24,496 00	2,578 00	747 05	78 13		3,579 80	31,478 98
Wisconsin, eastern district	19,874 40	7,841 98	1,695 82			60 00	29,472 20
Wisconsin, western district	11,160 00	1,875 00	433 15	87 40			13,555 55
Wyoming	16,729 00	1,574 40	1,225 00	52 15	1,100 00	135 00	20,815 55
Totals	1,964,678 20	306,241 61	94,511 55	77,238 98	48,175 66	110,124 94	2,600,970 94

EXHIBIT E.—*Tabular statement of causes heretofore disposed of, and also of those now pending, in the Court of Claims.*

Number of suits brought in each year.		Number of suits closed by report* or judgment † each year.					Suits apparently pending of the number brought in each year aforesaid.		
Year.	Number of suits.	Number for claimants.	Amount claimed.	Amount of recovery.	Number for defendants.	Amount claimed.	Number of suits pending.	Amount claimed.	No. of cases in which amount not stated in petition.
1855	464	.....	.....	.....	.....	.....	.....	.....	.....
1856	320	25	$368,679 80	$312,314 54	20	$167,314 86	.....	.....	.....
1857	823	58	254,177 20	144,924 02	49	1,180,239 94	.....	.....	.....
1858	173	5	179,967 97	46,858 22	31	547,001 70	.....	.....	.....
1859	40	8	76,386 13	25,539 36	53	2,187,535 86	.....	.....	.....
1860	35	10	401,541 37	89,821 04	26	302,113 71	.....	.....	.....
1861	7	4	11,168 75	8,369 00	9	195,961 96	.....	.....	.....
1862	17	6	159,324 45	48,302 05	.....	.....	.....	.....	.....
1863	114	1	(‡)	(§)	406	3,083,919 45	.....	.....	.....
1864	154	5	180,801 60	73,401 32	332	4,039,559 12	.....	.....	.....
1865	46	8	191,522 78	126,704 14	23	630,860 76	4	$69,925 82	.....
1866	361	18	247,218 74	133,960 90	206	2,146,404 13	10	422,214 71	.....
1867	488	50	2,005,951 94	872,863 01	114	1,288,092 75	25	1,061,484 02	.....
1868	745	98	1,460,650 07	782,677 40	24	591,630 45	96	11,104,898 47	2
1869	2,344	49	1,411,569 37	855,326 21	72	1,070,004 69	15	885,122 57	.....
1870	161	115	1,665,765 07	1,035,152 43	52	2,238,923 39	12	425,661 39	3
1871	114	65	1,548,430 70	1,161,615 53	36	968,931 63	29	1,288,838 64	.....
1872	450	132	2,831,172 55	2,028,884 70	17	463,335 71	58	6,636,826 51	2
1873	1,125	1,528	5,775,146 20	3,627,952 22	30	696,283 32	197	4,325,504 18	.....
1874	2,180	733	1,709,762 26	928,451 85	67	1,154,813 10	2,103	26,092,014 81	14
1875	738	239	4,033,103 59	2,949,917 09	61	2,910,680 05	643	3,049,602 76	31
1876	592	30	1,553,766 67	1,143,097 97	2,436	14,001,464 73	588	3,281,343 23	11
1877	362	37	779,028 35	257,079 15	423	10,928,484 16	362	7,501,917 85	.....
Total	11,853	3,224	26,845,135 56	16,653,212 15	4,487	50,793,555 47	4,142	66,145,354 96	63

* The act organizing the Court of Claims was passed February 4, 1855 (10 Stat., 612), by which the court were directed to hear and determine claims and *report* the cases and facts to Congress with their opinion.

† On the 3d of November, 1863 (12 Stat., 765), the said act was amended, and the court authorized to render final *judgments* with right of appeal to the Supreme Court of the United States.

‡ No amount claimed.

§ Judgment for land-scrip.

EXHIBIT F.—*Report of the librarian of the Department of Justice.*

DEPARTMENT OF JUSTICE,
Washington, November 22, 1877.

SIR: In submitting my report as librarian of the Department of Justice, I have the honor to state that complaints continually occur with all the judicial officers of the government who are by law entitled to receive the Supreme Court Reports and the United States Statutes, that their predecessors invariably neglect to deliver over the books and pamphlets to their successors in office.

I will further state that a great number of the judicial officers who receive the books and pamphlets fail in forwarding receipts to this department for the same, as provided by law.

Very respectfully,

H. A. KLOPPER,
Librarian.

Hon. CHARLES DEVENS,
Attorney General, Washington, D. C.

April 2, 1877.—Received from the Court of Claims 13 copies of the Reports of the Court of Claims; distributed 7 copies; remaining, 6 copies.

April 23, 1877.—Received from the Department of the Interior 130 copies of Vol. III of Otto's Supreme Court Reports; distributed 112 copies; remaining, 18 copies.

May 7, 1877.—Received from the Public Printer 425 copies of pamphlet Laws Forty-fourth Congress, second session, 1876–'77; distributed 394 copies; remaining, 31 copies.

May 7, 1877.—Received from the Public Printer 500 copies of the Reports of the Department of Justice; distributed 419 copies; remaining, 81 copies.

July , 1877.—Received from the Public Printer 425 copies of Vol. XIV of the United States Statutes; distributed 390 copies; remaining, 35 copies.

October 3, 1877.—Received from the Department of the Interior 130 copies of Vol. IV of Otto's Supreme Court Reports; distributed 113 copies; remaining, 17 copies.

The department also distributed since my last report in 1876 the following books and pamphlet laws:

Pamphlet laws of 1873–'74, 2 copies; Vol. XVIII of the United States Statutes at Large, 10 copies; Revised Statutes of the United States, 10 copies; Pamphlet Laws of 1874–'75, 4 copies; Registers of the Department of Justice, 237 copies; Revised Statutes of the District of Columbia, 2 copies; Vol. XIII of the Opinions of the Attorneys-General, 1 copy; Vol. XIV of the Opinions of the Attorneys-General, 2 copies; XX Wallace, 2 copies; XXI Wallace, 7 copies.

EXHIBIT G.—*Statement showing items, amounts, and causes of expenditures to November* 30, 1877, *of appropriation for contingent expenses Department of Justice for the fiscal year ending June* 30, 1877.

1876.			
July 19.		H. N. Barlow:	
		1 walnut frame and mat for photograph of Attorney-General	$8 00
		Washington and Georgetown Railroad Company:	
		100 tickets	5 00
		New York Herald:	
		Subscription 1 year	12 00
	31.	Chronicle Publishing Company:	
		Subscription 1 month	75
		C. H. Lee:	
		Salary for driving Department carriage, July	70 80
Aug.	1.	Washington Gas-Light Company:	
		Gas, July	9 68
		Hiram Michaels:	
		Money paid for car-tickets for Office Solicitor of Treasury	1 00
		Atlantic and Pacific and Franklin Telegraph Company:	
		Telegraphing, July	5 19
	8.	Western Union Telegraph Company:	
		Telegraphing, July	28 75
		Telegraphing, July, for Office Solicitor of Treasury	4 55
July	22.	J. F. Stone:	
		10 shoes on horses, July	5 00
Aug.	1.	Washington Nailor:	
		1 month's livery of 3 horses, July	75 00
	25.	J. F. Stone:	
		Shoeing horses	9 00
		Hiram Michaels:	
		Money expended for car-fare and newspapers, Office Solicitor of Treasury	4 10
	31.	C. H. Lee:	
		Salary for driving Department carriage, August	70 80
Sept.	1.	Washington Nailor:	
		1 month's livery of 3 horses, August	75 00
	4.	Adams Express Company:	
		Charges on package from New Orleans	1 00
	15.	Charges on package from Baltimore	25
	18.	Charges on package from Columbia, S. C	50
	20.	Charges on package from Saint Louis	50
		Charges on package from Saint Louis	50
	25.	Charges on package from New Orleans	50
	4.	Washington Gas-light Company:	
		Gas, August	10 58
	8.	F. A. Fills & Co.:	
		2 gold pens	6 00
	12.	C. C. Smith:	
		1 patent stamp	10 00
	26.	Robert Beall:	
		6 quarts ink	$4 50
		2 quarts ink	2 00
		2 quarts mucilage	2 00
		2 great gross bands	6 00
		Gold pen and holder	3 00
		2 dozen pencils	2 00
		1 dozen rolls pins	1 25
		2 gross pens	2 50
		½ ream note, $2.50; ¼ M. envelopes, $1.75	4 25
		1,000 fasteners	4 00
		½ ream envelope-paper	4 00
		1 ream wrapping-paper	8 00
		3,000 envelopes	21 00
		2,000 envelopes	15 00
		1 gross bands	1 25
		10 quires note, and envelopes	3 65
		1 box bands	1 25
		2 pens	20
		1 box envelopes	1 00
		3 copy-press books	7 50
			94 35
Oct.	2.	J. B. Adams:	
		Subscription to Times and Tribune, 1 month, for office Solicitor of Treasury	2 60
	3.	Great Falls Ice Company:	
		Ice, July, August, and September	73 35
	4.	Washington Gas Company:	
		Gas, September	12 38
Sept.	30.	C. H. Lee:	
		Salary as driver department carriage, September	68 40

1876.				
Sept. 16.	J. F Stone:			
	Shoeing horses, August			$6 25
	Shoeing horses, September			7 00
	R. W. Carter, jr.:			
	Milk			25
30.	Henry Coleman			
	Washing towels 3 months			36 00
Oct. 2.	Washington Nailor:			
	Hire of carriage August and September			27 00
	1 month's livery of 3 horses, September			75 00
	Washing nets and blankets			2 50
	J H. Brooke:			
	1 peck oil meal			45
21.	J. F. Stone:			
	Shoeing horses			8 00
Nov. 2.	Washington Nailor:			
	1 month's livery of 3 horses, October			75 00
	Robert Beall:			
	1 dozen sheets blotting paper	$1 00		
	10 reams waste paper	4 00		
	2 patent pencils	75		
	1 gold pen and holder	3 50		
				9 25
Oct, 10.	G. Bazzuro:			
	Grinding scissors and erasers			2 95
14.	R. Beall:			
	Adams' Memoirs, vol. 2			5 00
	J. G. Weaver:			
	Putting down carpets, 18 rooms	$54 00		
	Furnishing 13 yards oil-cloth and putting down same	29 25		
				83 25
	Alphonso Taft:			
	Expenses of trip to New York and Long Branch			43 00
18.	Solomons & Chapman:			
	1 ruler	$0 75		
	2 scissors binders	4 00		
	1 punch	2 50		
	3 dozen ruling pens	3 00		
	6 rulers	7 50		
	500 linen jackets, $10\frac{1}{4}$ x $4\frac{7}{8}$	11 00		
	1 scrap book	3 00		
	1 dozen rolls pins, $2; 1 dozen boxes pins, $1.50	3 50		
	24 balls twine	7 80		
	500 envelopes	1 25		
	4 boxes fasteners	1 20		
	1 McPherson's Hand Book, 1876	2 50		
				48 0 0
	J. C. Hogan:			
	Repairs on and taking down 36 awnings			19 00
19.	W. Whelan:			
	1 chimney for drop-light			15
21.	James Shelton:			
	Hauling books			2 00
	J. G. Weaver:			
	Moving furniture, work on doors, &c.			10 50
	Repairing furniture			37 75
24.	Solomons & Chapman:			
	2 dozen blotting paper, $1	$2 00		
	2 dozen pencils, $1	2 00		
	1 rubber pencil and leads for office Solicitor of Treasury	2 05		
				6 05
27.	G. W. Rider:			
	1 volume Appleton's Cyclopedia			6 00
30.	United States mail:			
	Unpaid postage			06
31.	Adams Express Company:			
	Charges on 1 package from Topeka, Kans			1 65
	C. H. Lee:			
	Salary as driver department carriage, October			70 80
	Hiram Michaels:			
	Money expended for car-fare, express, and sundries for office Solicitor of Treasury, September and October			5 85
Nov. 2.	Washington Gas-light Company:			
	Gas, October			15 98
4.	Adams Express Company:			
	Charges on 1 package from New York			75
10.	R. Beall:			
	2 dozen pencils	$2 00		
	2 balls twine, 75 cents; 1 copying pencil, 20 cents	95		
	24 sheets blotting board	2 40		
	1 dozen blue pencils	1 50		
	2 tablets, 40 cents; 8 rolls pins, 80 cents	1 20		
	6 erasers for office Solicitor of Treasury	3 00		
				11 05

1876.				
		Chronicle Publishing Company:		
		Subscription to Daily Morning Chronicle		2 30
Nov.	14.	B. Silliman, jr.:		
		1 dozen pints ink		3 00
	18.	E. Morrison:		
		1 ream manila		6 00
	22.	N. W. Burchell:		
		Soap, assorted	$3 63	
		3 whisks for office Solicitor of Treasury	1 05	
				4 68
	28.	James Shelton:		
		Hauling books		2 00
	29.	Walter Allen:		
		1 volume American Mechanical Dictionary		7 00
		Adams Express Company:		
		Charges on 1 package from Cincinnati		1 00
		C. H. Lee:		
		Salary as driver department carriage, November		68 40
		N. A. Poole:		
		Brooms, matches, soap, sponges, &c		9 66
		H. Michaels:		
		Money expended for newspapers and car-fare for office Solicitor of Treasury, November		3 95
Dec.	2.	Washington Gas-light Company:		
		Gas, November		21 15
	11.	Adams Express Company:		
		Charges on package from New York		60
		The Public Printer:		
		Postage on 3 copies Congressional Record		1 20
	26.	J. G. Weaver:		
		Repairing furniture	$15 50	
		Making 1 fire-screen	10 00	
				25 50
	1.	J. F. Stone:		
		Shoeing horses, November		3 75
		Washington Nailor:		
		1 month's livery of 3 horses, November		75 00
		J. F. Stone:		
		Shoeing horses		5 25
	30.	Thomas Kelly:		
		Shoeing horses		4 00
	26.	J. G. Weaver:		
		Repairing furniture in office Solicitor of Treasury		8 75
		Robert Beall:		
		6 quarts ink	$4 50	
		1 box pens	1 00	
		10 packages envelopes	2 50	
		10 quires paper	1 50	
		1 gross bands for office Solicitor of Treasury	1 75	
				11 25
1877.				
Jan.	1.	Washington Nailor:		
		Hire of horse, in December	$9 00	
		16 days' livery of horse, in December	13 33	
		1 month's livery of 2 horses, December	50 00	
		Medicine for horse	1 75	
				74 08
	22.	Adams Express Company:		
		Charges on 1 package from Charleston		75
	23.	Edward Perry:		
		12 copies Acts of South Carolina		18 00
		W. F. Goldthwaite:		
		Revised Statutes of Louisiana	$7 00	
		Acts of Louisiana, 1870	5 00	
		Acts of Louisiana, 1871	3 00	
				15 00
	24.	Adams Express Company:		
		Charges on package from Jacksonville, Fla		1 50
		International Review:		
		Subscription for 1877		5 00
	26.	Adams Express Company:		
		Charges on 1 package from New York		75
		Henry Coleman:		
		Washing towels for quarter ending December 31, 1876		36 00
		W. Whelan:		
		Repairing gas-fixtures	$1 50	
		Wax tapers	15 00	
				16 50

1877.				
	Stevens & Haynes:			
	Irish Law Reports	£3 13s. 6d.		
	Revised Statutes, vols. 9 and 10	4 00 0		
	Thomas' Const. Cases	0 6 0		$14 46
	Box and insurance	0 7 6		
	Premium 6½			
	C. H. Lee:			
	Salary as driver department carriage, December			70 80
	The Public Printer:			
	Postage on Congressional Record, 2 copies			80
Jan. 17.	Adams Express Company:			
	Charges on 1 package from Charleston		$1 50	
	Charges on 1 package from New Orleans		1 00	
				2 50
1876.				
Dec. 27.	Charges on 1 box from New York			6 20
1877.				
Jan. 30.	N. A. Poole:			
	Brooms, brushes, dusters, soap, tacks, &c			13 18
31.	C. H. Lee:			
	Salary as driver department carriage, January			72 30
	Thomas Kelly:			
	Shoeing horses, January			2 50
	J. L. Harmon:			
	Subscription to Baltimore Sun, 6 months			3 30
	Washington Gas-Light Company:			
	Gas, December			25 88
Feb. 1.	J. G. Weaver:			
	Repairing chairs		$4 75	
	Making one standing-desk		6 50	
				11 25
	1 pair door-hinges		9 00	
	Weather-stripping 5 windows		12 50	
				21 50
5.	Great Falls Ice Company:			
	Ice, 3 months			61 20
	Baldwin Brothers & Co.:			
	Charges on 1 package per steamer Britannia			7 00
	J. B. Adams:			
	Times and Tribune from January 10, for office Solicitor of Treasury			1 90
	H. Michaels:			
	Money expended for car-tickets for office Solicitor of the Treasury, January			1 50
	H. Michaels:			
	Money expended for postage on Congressional Record, car-tickets, matches, and newspapers for office Solicitor of Treasury, December			4 05
	Perry & Brother:			
	3½ dozen towels, $7 50		$26 25	
	½ dozen towels, $12		6 00	
				32 25
	R. Beall:			
	Wharton on Agency		$7 00	
	Civil War in America, vol. 2		3 50	
	Railroad Guide		50	
	Encyclopedia Britannica, vol. 4		11 00	
	Encyclopedia Britannica, vol. 5		11 00	
	Life Prince Consort		2 00	
	Macaulay's Life and Letters		1 75	
	Life Marie Antoinette		2 50	
	Tribune Almanac		25	
	(For office Solicitor of Treasury.)			39 50
	R. Beall:			
	1,000 paper-fasteners		$4 50	
	1 gross bands		1 00	
	1 roll pins		1 25	
	½ ream cap		3 50	
	2 boxes pens		2 50	
	1 box envelopes		1 00	
	1 box note-envelopes		1 50	
	1 ream note		3 00	
	4 balls twine		1 25	
	1 pound rubber		1 50	
	2 pieces of rubber		65	
	2 dozen pencils		2 00	
	1 dozen pencils, blue		1 00	
	1,000 fasteners		4 00	
	1 dozen penholders		65	
	(For office Solicitor of Treasury.)			29 30
	Washington Nailor:			
	Livery of 2 horses, January		$50 00	
	Hire of horse in January		9 00	
				59 00
15.	T. F. Maher:			
	3 reams letter, at $3.25			9 75

1877.			
Feb. 10.	The National Republican:		
	2 copies from August 1, 1876, 1 year		$16 00
12.	Washington and Georgetown Railroad Company:		
	100 car-tickets		5 00
7.	Adams Express Company:		
	Charges on 1 package from Baltimore		25
23.	Charges on 1 package from Savannah		50
26.	W. W. Farr:		
	Repairing clocks		16 25
27.	R. Beall:		
	British Almanac, 1877	$2 25	
	Statesman's Year Book, 1877	3 50	
			5 75
26.	B. Westerman & Co.:		
	Books		14 98
27.	J. G. Weaver:		
	Making case for library	$125 00	
	Painting and graining same	8 00	
	Making shelf	4 00	
	Repairing chairs	4 00	
	(For office Solicitor of Treasury.)		141 60
	C. H. Lee:		
	Salary as driver department carriage, February		65 40
26.	Solomons & Chapman:		
	1 dozen ink-extractors	$2 00	
	1,000 fasteners	3 00	
	6 boxes seals	2 10	
	2 pounds gum	80	
	6 reams cap	36 00	
	1 scrap-book	4 50	
	6 reams linen letter, ruled	54 00	
	1,000 door-cards	2 50	
	2,000 envelopes	16 00	
	2 quires note and 2 packages envelopes	1 20	
	6 packages envelopes	1 20	
	3 quires note and 4 quires commercial note	2 00	
	50 card envelopes, stamped	1 00	
	12 quarts ink	15 00	
	2 Sisson's binders	3 25	
	225 envelopes	2 25	
	2 dozen erasers	4 80	
	1 gross pencils	9 00	
	36 balls twine	9 00	
	44 boxes fasteners	13 20	
	9 copying-books	25 50	
	6 dozen holders	17 90	
	24 gross pens	31 00	
	1 dozen pen-racks	4 50	
	21 copying-books, $2.50	52 50	
	1 dozen erasers, $2.40; 1 dozen knife erasers, $8	10 40	
	1 dozen knife erasers, $5.50; 2 dozen blotters, $24	29 50	
	4 boxes fasteners, $1.20; 6 bottles paste, $2.10	3 30	
	9 gross pens	6 75	
	6 paste-brushes, $1.35; 2 reams manila, $15	16 35	
	5 boxes bands	4 75	
			386 00
27.	G. N. Rider:		
	Index to Appletons' American Cyclopedia		5 00
28.	Root & Co., agents:		
	Subscription to Washington Chronicle		1 35
	Helphenstein & Bentley:		
	2 brushes	$3 50	
	1 comb	50	
	(For office Solicitor of Treasury.)		4 00
	S. F. Phillips:		
	2 bookcases		90 00
	Solomons & Chapman:		
	1 basket	$1 85	
	1½ dozen pencils	1 50	
	½ dozen pencils	38	
	3 reams letter	21 00	
	2 gross pens	2 00	
	2 spools tape	1 50	
	100 envelopes	2 00	
	12 gross bands	2 00	
	3 holders	1 50	
	(For office Solicitor of Treasury.)		33 73.
	Solomons & Chapman:		
	8 reams letter	$20 00	
	1 pair shears	1 50	
	1 gold pen and holder	3 50	
	1 gold pen and rubber pencil	2 75	
	1 dozen green pencils	1 25	
	1 dozen green pencils	1 00	

1877.				
	1 dozen penholders		$0 50	
	½ ream note		81	
	250 envelopes		1 50	
	(For office Solicitor of Treasury.)			$32 81
	Washington Gas-light Company:			
	Gas for January			20 48
	Western Union Telegraph Company:			
	Telegraphing, August, 1876			7 76
	Telegraphing, September, 1876			10 53
	Telegraphing, October and November, 1876			32 18
	Telegraphing, December, 1876			3 23
	Telegraphing, January, 1877			9 12
	(For office Solicitor of Treasury.)			
	Western Union Telegraph Company:			
	Telegraphing, August, 1876			23 20
	Telegraphing, September, 1876			50 68
	Telegraphing, October, 1876			43 37
	Telegraphing, November, 1876			54 88
	Telegraphing, December, 1876			33 82
	Telegraphing, January, 1877			29 22
Mar. 2.	Washington Gas-light Company:			
	Gas for February			22 95
31.	Henry Coleman:			
	Washing towels 3 months, to March 31			36 00
30.	J. G. Weaver:			
	Hanging pictures, &c		$4 75	
	Cartage		2 00	
				6 75
2.	D. Huntington:			
	Portrait of Attorney-General Edwards Pierrepont			1,305 00
31.	Thomas Kelly:			
	Shoeing horses, February		$2 50	
	Shoeing horses, March		6 50	
				9 00
30.	W. H. & O. H. Morrison:			
	1 Law Review		1 25	
	1 Arkansas Reports, volume 28		5 00	
	1 Illinois Reports, volume 69		5 75	
	1 Jones & Spencer's Reports, volume 8		6 00	
	1 Abbot's Practice Reports, volume 16		3 90	
	1 Wisconsin Reports, volume 39		5 00	
	1 Colton's Atlas		18 00	
	1 Texas Reports, volume 43		6 50	
	1 Minnesota Reports, volume 21		5 00	
	1 Machlachlan on Shipping		14 50	
	1 Pennsylvania Reports, volume 78		4 50	
	1 Kansas Reports, volume 14		4 75	
	1 California Reports, volume 50		4 75	
	1 Missouri Reports, volume 61		4 00	
	1 Illinois Reports, volume 77		5 50	
	1 Georgia Reports, volume 54		5 00	
	1 Hun's New York Supreme Court Reports, volume 7		2 50	
	1 Massachusetts Reports, volume 114		4 30	
	1 New York Reports, volume 62		2 15	
	1 Law Review, October		1 25	
	1 Iowa Reports, volume 41		5 60	
	1 Missouri Reports, volume 62		4 18	
	1 Dillon's Reports, volume 3		5 75	
	1 Massachusetts Reports, volume 119		4 30	
	1 Redfield on Wills, volume 2		5 50	
	1 McCrary on Elections		5 00	
	1 Brightly's Election Cases		7 50	
	1 Paschal's Anno. Constitution		4 00	
	1 New York Statutes at Large, 9 volumes		40 75	
	1 Revised Statutes New York, 3 volumes		15 90	
	1 Revised Statutes Indiana, 2 volumes		8 00	
	1 Supplement to Revised Statutes Indiana, 1 volume		4 00	
	1 Cushing's Parliamentary Law		5 50	
	1 Bush's Kentucky Reports, volume 11		5 00	
	1 Illinois Reports, volume 78		5 00	
	2 diaries		2 10	
	1 Encyclopædia Britannica, volume 5		9 00	
	1 Law Review, January		1 25	
	1 Wood's C. C. Reports, volume 2		7 25	
	1 Mississippi Reports, volume 51		6 50	
	1 Georgia Reports, volume 55		6 37	
	1 Greenleaf on Evidence, 3 volumes		16 50	
	1 Field on Damages		6 00	
	1 Voorhees's Louisiana Statutes		12 00	
	1 Arkansas Reports, volume 29		5 00	
	1 Kentucky Reports, volume 11		5 00	
	1 Illinois Reports, volume 75		5 00	
	1 New York Court of Appeals Reports, volume 63		2 00	
	1 West Virginia Reports, volume 8		4 50	
	1 Maryland Reports, volume 43		5 25	
	1 Vermont Reports, volume 48		4 75	
	1 Maine Reports, volume 65		4 50	

1877.

	1 Worcester's Unabridged Dictionary	$10 00	
	1 Webster's Unabridged Dictionary	10 00	
	1 Holmes' Reports, volume 1	6 00	
	1 New York Supreme Court Reports, volume 8	2 75	
	1 each Alabama Reports, volumes 50 and 52	11 00	
	1 Wait's Actions, volume 1	6 00	
	1 Howard's Practice Reports, volume 51	3 50	
	1 Bigelow's Insurance Reports, volume 5	5 00	
	1 Georgia Reports, volume 56	6 35	
	1 Nebraska Reports, volume 3	4 50	
	1 Nebraska Reports, volume 4	3 25	
	1 Illinois Reports, volume 78	5 00	
	1 White & Tudor's Leading Cases, 4 volumes	22 00	
	1 Bishop's Criminal Law, 2 volumes	11 00	
	1 Story's Equity Jurisprudence, 2 volumes	11 00	
	1 Wisconsin Reports, volume 40	5 00	
	1 North Carolina Reports, volume 73	6 83	
	1 North Carolina Reports, volume 74	7 75	
	1 Iowa Reports, volume 42	5 50	
	1 each Indiana Reports, volumes 50, 51, and 52	11 25	
	1 each New Jersey Equity Reports, volumes 25, 26, and 27	15 00	
	1 New Jersey Law Reports, volume 37	5 00	
			$512 23
Mar. 31.	F. W. Woodruff:		
	4 dozen file-holders		6 00
30.	J. G. Weaver:		
	Making 3 book-rests	$9 00	
	Making file-case	70 00	
	Making 3 packing-boxes, and packing	11 00	
	Making hat and coat rack	2 50	
	Repairing furniture	14 75	
			107 25
31.	C. H. Lee:		
	Salary as driver department carriage		72 30
	G. N. Rider:		
	American Cyclopedia, volumes 15 and 16	$14 00	
	American Cyclopedia, 2 volumes	15 00	
	(Office Solicitor of Treasury.)		29 00
	H. Michaels:		
	Money expended for car-tickets for office Solicitor of Treasury, February and March		2 00
	Great Falls Ice Company:		
	Ice January, February, and March		61 80
2.	Washington Nailor:		
	Livery of 2 horses, February		50 00
30.	W. H. & O. H. Morrison:		
	1 Law Review, January	$1 25	
	1 Law Review, July	1 25	
	1 Centennial Guide	50	
	1 each Massachusetts Reports, volumes 112, 113, 114, 119	17 40	
	1 Tennessee Reports, Chancery, volume 1	4 75	
	1 each New Hampshire Reports, volumes 54, 55	8 80	
	1 Maine Reports, volume 64	4 25	
	1 Ohio Reports, volume 25	2 50	
	1 Benedict's District Court Reports, volume 7	8 00	
	1 each Bissell's Circuit Court Report	12 50	
	1 Dillon's Reports, volume 3	5 75	
	1 Holmes's Report, volume 1	6 00	
	1 Hilliard on Taxation	5 50	
	1 Vermont Reports, volume 47	4 50	
	1 Bishop's Married Women, 2 volumes	11 00	
	1 Smythe's Homestead and Exemptions	4 25	
	1 Paschal's Digest Decisions, volume 3	12 50	
	1 Wait's Actions, volume 1	6 00	
	1 each Hun's New York Reports, volume 6, 7, 8	8 25	
	1 New York Court of Appeals Reports, volumes 59 to 63, inclusive	10 40	
	1 Massachusetts Reports, volume 118	4 30	
	1 each Maryland Reports, volumes 41, 42, 43	15 00	
	1 Bigelow's Insurance Reports, volume 5	5 00	
	1 White & Tudor's Leading Cases, 4 volumes	22 00	
	1 Revised Statutes Illinois, 1874	5 00	
	1 each Mississippi Reports, volumes 49, 50, 51	19 50	
	1 each Wisconsin Reports, volumes 37, 38, 39	15 00	
	1 each Illinois Reports, volumes 68, 69, 75, 76, 77, 78	31 40	
	1 each Iowa Reports, volumes 39, 40, 41	15 00	
	1 each Georgia Reports, volumes 52, 53, 54, 55, 56	30 50	
	1 Wagner's Missouri Statutes, 2 volumes	14 00	
	1 each Howard's Practice, volumes 37 to 51, inclusive	52 50	
	1 Wisconsin Reports, volume 40	5 00	
	1 Iowa Reports, volume 42	5 50	
	1 each North Carolina Reports, volumes 73 and 74	14 58	
	1 each New Jersey Equity Reports, volumes 24 to 27, inclusive	20 00	
	1 New Jersey Law Reports, volume 36	5 00	
	(For office Solicitor of Treasury.)		414 63
	J. B. Adams:		
	Times and Tribune, February		2 60
	Times and Tribune, March		2 60
	(For office Solicitor of Treasury.)		

1877.				
Mar. 31.	F. A. Fill & Co.:			
	1 6-quire cap day-book		$1 80	
	1 cash day-book		50	
	1 copying book		3 30	
				$5 60
	R. Beall:			
	20 reams shoe paper			6 00
	R. Beall:			
	10 reams waste			4 00
	6 quarts ink		$4 50	
	1 quart ink		1 00	
	1 ream cap		7 00	
				12 50
	1 Turkistan, 2 volumes		5 00	
	1 Pop. Progress in England		6 00	
	Statesman's Year Book		3 50	
	(For office Solicitor of Treasury.)			14 50
Apr. 3.	Stevens & Haynes:			
	Law Magazine, Nos. 2, 3, and 4	£0 18s.		
	Shower's Parliamentary Cases.	4 4	£5 8s. @ 5	28 35
	Law Magazine, No. 5	0 6		
	Franklin Telegraph Company:			
	Telegraphing, August, 1876			8 73
	Telegraphing, September, 1876			15 29
	Telegraphing, October, 1876			8 40
1.	Washington Nailor:			
	1 month's livery of 2 horses, March			50 00
	Atlantic and Pacific Telegraph Company:			
	Telegraphing, January, 1877			9 42
	Telegraphing, February, 1877			47 80
	Telegraphing, March, 1877			26 96
	Telegraphing, December, 1876			24 99
	Telegraphing, November, 1876			28 16
4.	New York Times:			
	Subscription 1 year			12 00
5.	Boston Daily Advertiser:			
	Subscription 1 year			12 00
12.	N. W. Burchell:			
	Soap, matches, brushes, and dusters			5 52
	Atlantic and Pacific and Franklin Telegraph Company:			
	Telegraphing, November, 1876			3 20
	Telegraphing, February, 1877			2 92
	Telegraphing, March, 1877			3 75
	(For office Solicitor of Treasury.)			
	J. G. Weaver:			
	Making 1 file-case		$150 00	
	Making 1 letter-case		25 00	
				175 00
	Western Union Telegraph Company:			
	Telegraphing, February			4 79
	Telegraphing, March			18 62
	(For office Solicitor of Treasury.)			
	Western Union Telegraph Company:			
	Telegraphing, March			28 13
	L. H. Schneider:			
	3 pairs shears			10 50
	Solomons & Chapman:			
	270 cards		3 50	
	250 envelopes		3 00	
	500 envelopes and printing		7 50	
	1 scrap-book		4 00	
	2 gross pens		2 00	
	1 dozen pens		60	
	2 holders		15	
	1 match-stand		2 50	
	3 dozen holders-cork		6 00	
	5 dozen memorandums		14 00	
	1,000 cards, printed		15 00	
	1 inkstand		5 50	
	2 boxes quill pens		1 50	
	1 pair shears		1 25	
	1 gross pencils		9 00	
	2 bottles paste		50	
	15 gross pens		21 75	
	7 boxes fasteners		3 50	
	6 needles		30	
	6 quarts mucilage		6 00	
	6 mucilage reservoirs		1 95	
	1 dozen rulers		7 50	
	1 file		1 25	
	1 dozen packages cards		2 50	
	5 boxes fasteners		2 90	
	3 boxes pens, $6.75; 6 gross pens, $4.50		11 25	
	4 bottles paste		1 00	

1877.				
	1,000 envelopes		$10 00	
	2 gross pens		3 00	
	1 ream cap		8 25	
	1 dozen carmine, $8; 2 pounds wax, $2.50		10 50	
	2 dozen sponge cups, $8; 25 gross bands, $23.50		31 50	
	10 reams hand-made cap		135 00	
	475 fasteners		5 25	
	5 reams letter		37 50	
				$377 90
	Western Union Telegraph Company:			
	Telegraphing, February, 1877			42 56
April 17.	Washington and Georgetown Railroad Company:			
	Car-tickets			5 00
18.	J. W. Boteler:			
	2 dozen goblets			6 00
	E. W. Woodruff:			
	8 dozen file-holders			96 00
	H. N. Barlow:			
	1 frame for portrait			35 00
20.	C. H. Lee:			
	Expenses to Wilmington and back			50
	Adams Express Company:			
	Freight on 2 packages			60
	Freight on 1 package			1 25
	Freight on 1 package			75
	Robert Wood:			
	Hauling books			1 50
	Solomons & Chapman:			
	Engraving additions to plate		$1 50	
	500 cards and printing		7 50	
	500 cards and printing		7 50	
				16 50
25.	Washington Gas-light Company:			
	Gas, March			19 80
	Rees, Welsh & Co.:			
	Clark's Cases, 5 volumes		$20 00	
	Gilman's Reports, volume 5		2 50	
				22 50
24.	Campbell & Co.:			
	Subscription to National Bankruptcy Register Reports, volume 14		$5 00	
	Subscription to National Bankruptcy Register Reports, volume 15		5 00	
				10 00
28.	John C. Hogan:			
	Repairing, rebinding, and putting up 8 window-awnings, at $1.50		$12 00	
	Recovering and putting up 29 awnings, at $6		174 00	
				186 00
30.	C. H. Lee:			
	Salary as driver department carriage, April			69 20
	H. Michaels:			
	Money expended for car-tickets for office Solicitor of Treasury, April			2 00
	Adams Express Company:			
	Expressage 3 packages			95
May 1.	Freight 1 package from Cincinnati			90
2.	Freight 1 package from Philadelphia			1 00
	Freight 1 package to Philadelphia			30
3.	N. A. Poole:			
	2 dozen boxes matches, 50 cents; 2 bars soap, 34 cents		$0 84	
	2 dozen boxes matches, 50 cents; 2 bars soap, 34 cents		84	
				1 68
1.	Thomas Kelly:			
	Shoeing horses, April			11 25
	W. S. Thompson:			
	5 pounds soap		$1 75	
	1 stick caustic		65	
	Insect powder		1 00	
	Sponge		60	
				4 00
	R. Beall:			
	1 dozen boxes bands		$3 00	
	1 box		1 25	
	4 pieces ribbon		2 25	
	2 packages cards		70	
	1 box pins		1 25	
	½ ream note		2 00	
	(Office Solicitor of Treasury.)			10 45
3.	Washington Gas-light Company:			
	Gas, April			17 55
	Adams Express Company:			
	Freight on 1 package from Annapolis			30
5.	J. G. Weaver:			
	Repairing furniture		$6 25	
	Making foot-stool		3 00	
	Oil-cloth		2 00	
				11 25

1877.				
	J. G. Weaver:			
	Repairs on windows		$3 00	
	Hanging 3 pictures		1 50	
				$4 50
	J. B. Adams:			
	Tribune and Times, April, for office of Solicitor of Treasury			2 60
May 1.	Washington Nailor:			
	1 month's livery of 2 horses, April			50 00
7.	Western Union Telegraph Company:			
	Dispatch			45
4.	W. S. Thompson:			
	Bottle chloralum			50
8.	J. McDermott & Bros.:			
	1 new office carriage			600 00
	G. N. Reider:			
	Life W. H. Seward			5 20
	Solomons & Chapman:			
	4 reams letter	$33 00		
	1 ream cap	13 50		
	4 dozen carmine	33 00		
	10 reams royal Irish letter	115 00		
	2 reams royal Irish note	20 00		
	400 envelopes	7 20		
	450 envelopes	7 20		
	4 reams royal Irish note and stamped	40 00		
	600 envelopes	10 80		
	350 envelopes	8 80		
	Engraving die on plate	4 50		
	10 reams letter	75 00		
				368 00
9.	R. Mathews:			
	Hauling books			2 50
	Thomas E. France, jr.:			
	1 horse			300 00
	E. M. Whittaker:			
	Subscription North American Review, 1 year			5 00
10.	Adams Express Company:			
	Freight on 1 package from New York			30
11.	Freight on 1 package from Little Rock			75
	Freight on 1 package from Wheeling			30
15.	Freight on 1 package from Philadelphia			35
10.	Western Union Telegraph Company:			
	Dispatch			25
12.	Solomons & Chapman:			
	1 quart ink	$5 00		
	1 gross pens	1 50		
	2 dozen blotters	2 00		
	1 dozen erasers	6 00		
	2 dozen pencils	2 00		
	250 envelopes	1 25		
	4 boxes leads	40		
	8 reams letter	30 00		
	(Office Solicitor of the Treasury.)			48 15
15.	F. A. Fill & Co.:			
	3 copies Washington Directory			15 00
	Lutz & Bro.:			
	1 whip	$2 50		
	1 set harness	90 00		
	1 halter, $3.50; 1 hitch-strap, $1	4 50		
	1 mat	6 00		
				103 00
17.	Republic Publishing Company:			
	5 copies of the Republic from March, 1875, to February, 1877			20 00
	Western Union Telegraph Company:			
	Telegraphing, April			98 62
	Western Union Telegraph Company:			
	Telegraphing for office Solicitor of Treasury, April			8 84
18.	Adams Express Company:			
	Freight on 1 package from Boston			35
1.	Atlantic and Pacific Telegraph Company:			
	Telegraphing, April			46 72
	Perry & Brother:			
	12 towels (office Solicitor of Treasury)			3 75
22.	Charles Madison:			
	Washing and cleaning office			2 00
22.	J. C. Callaghan & Co.:			
	Painting and calsomining 1 room			40 00
23.	Adams Express Company:			
	Freight on 1 package from Boston			55
21.	Little, Brown & Co.:			
	1 English Reports	$30 00		
	Binding 8 volumes	14 00		
	1 English Statutes, 1875	11 75		
				55 75

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Little, Brown & Co.:
1 English Reports, Statutes 1876 ..... $11 75

Little, Brown & Co.:
May 22. 1 Digest to English Reports 12 00

T. & J. W. Johnson & Co.:

1 Arkansas Revised Statutes	$13 00	
1 Florida Revised Statutes	6 50	
1 Illinois Revised Statutes	8 00	
1 Illinois Statutes, two volumes in one	8 50	
1 Indiana Revised Statutes	12 00	
1 Kansas Revised Statutes	14 00	
1 Minnesota Revised Statutes	14 00	
1 Mississippi Revised Code	5 00	
1 Maryland Supplement to Code	4 00	
1 Connecticut Report, volume 42	5 00	
1 Pennsylvania State Report, volume 79	4 50	
1 Vroom's New Jersey Report, volume 9	5 00	
1 Bissell's Circuit Court Report, volume 6	6 50	
1 Jamison's Constitutional Conventions	5 50	
1 Wright's Index, volume 2	5 00	
1 New York Court of Appeal Digest, volume 2	6 00	
1 Maryland Code	12 00	
1 New Hampshire General Statutes, 1 volume Session Laws	15 00	
1 North Carolina Battle's Revisal	3 00	
1 Iowa Revised Code	4 50	
Express charges	40	
1 Nittle's Statutes, California	20 00	
1 Amend. California Code	3 00	
1 Alabama Reports	5 75	
		186 15

25. A. J. Joyce:

36 days' hire of carriage	$36 00	
1 rubber apron	6 50	
set 2 handles, $2; set 4 lines, $5	7 00	
1 rim, $3; 4 spokes, $1.80	4 80	
15th wheel bolt, 50 cents; overhaul gear, $1	1 50	
oil and washer on axles, $1; 2 points on shafts, $1.50	2 50	
paste frame cover and overhaul lining	1 00	
repair step	50	
new cover for 5 glass frames	10 00	
new coach glass	2 00	
repairs, curtain, and rollers	1 00	
stuff 2 cushions, $2; new buttons, 75 cents	2 75	
repairs to dash, $1; 2 points on shafts, $1.50	2 50	
2 new front curtains	9 50	
rub down, paint stripe, and varnished	30 00	
oil and washing axles, $1; set 4 tires and bolts, $5	6 00	
pair rattlers, 50 cents; plate 2 shafts and 4 rivets, $1	1 50	
		125 05

Thos. Kelly:
shoeing horses, May 12 88

June 1. Wash. Nailor:

22 days' livery of horse from May 9	$17 74	
1 month's livery, 2 horses, May	50 00	
		67 74

May 26. J. G. Weaver:

Mending chairs and sofas	3 50
Taking up and cleaning 20 room carpets	60 00
Putting down 100 yards matting	8 00
Putting down 35 yards matting	3 50

31. C. H. Lee:
Salary as driver department carriage, May 71 60

H. Michaels:
Money expended for car-tickets and washing towels for office Solicitor of Treasury. 2 65

W. B. Moses:

1 office-chair	$12 00	
1 table	5 00	
		17 00

June 1. W. Ballantyne:
500 sheets blotter 20 83

2. Washington Gas-light Company:
Gas, May 16 20

Mrs. C. S. Byng:
Cleaning robes and lap-cloths 5 50

J. B. Adams:
Tribune and Times, May 2 60

Adams Express Company:
Charges for transportation of packages from August, 1876 ..... 2 70

Western Union Telegraph Company:
Telegraphing, May 94 24

Atlantic and Pacific Telegraph Company:
Telegraphing, May 31 20

6. A. R. Shepherd & Co.:
1 shade and tubing 7 00

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Solomons & Chapman:

1 eyelet-machine		$3 00
2 pounds gum		80
1 oil-stone		1 00
2 punches		70
1 punch		2 50
1,000 envelopes		6 50
4 reams linen packet, stamped		45 00
500 envelopes		8 75
500 envelopes		10 00
2,000 cards		5 00
6,000 envelopes		45 00
5 reams note		23 75
1 call bell		6 00
3 dozen sponges		3 60
1 blank-book		1 75
		$163 35

June 7. Adams Express Company:

Freight on 1 package from Boston		90
8. Freight on 1 package from New York		50
9. Freight on 1 package from Boston		80

J. G. Weaver:

Repairing furniture		23 75

E. W. Woodruff:

1 dozen file-holders		10 00

Dickson & King:

5½ cords hickory wood, sawed and split	$55 00	
¾ cord pine wood, sawed and split	6 00	
Putting away	4 68	
		65 68

George C. Maynard:

Renewing battery for electric bell		1 50

Leonard Scott Publishing Company:

4 British quarterlies, one-half year, and Blackwood		7 50

20. Metropolitan Railroad Company:

Tickets		5 00

Washington and Georgetown Railroad Company:

120 tickets		5 00

H. Michaels:

Money expended for use office Solicitor of Treasury in June for car-tickets.	$2 00	
Express	50	
1 comb	50	
		3 00

J. B. Adams:

Tribune and Times for office Solicitor of Treasury, June		2 60

Western Union Telegraph Company:

Telegraphing for office Solicitor of Treasury, June		26 84

Henry Coleman:

Washing towels, quarter ending June 30, 1876		36 00

J. L. Harmon:

Subscription Baltimore Sun, one-half year		3 30

Western Union Telegraph Company:

Telegraphing, May (office Solicitor of Treasury)		11 25

30. Adams Express Company:

Freight on 1 package from Mansfield, Ohio		75

Great Falls Ice Company:

Ice, 3 months, ending June 30		52 63

F. A. Fill & Co.:

3 months' subscription to Washington Evening Star, to June 30		2 25

C. H. Lee:

Salary as driver department carriage, June		69 20

Western Union Telegraph Company:

Telegraphing, June		69 12

R. A. Whitehand:

75 metal tags		30 00

Atlantic and Pacific Telegraph Company:

Telegraphing, June		16 66

1877.
June 30. Atlantic and Pacific Telegraph Company:

Telegraphing, April		1 65
Telegraphing, May		25

(Office Solicitor of the Treasury.)

Washington Gas-light Company:

Gas, June		13 28

Robert Beall:

1 box pens, $1.25; 1 box seals, 20 cents	$1 45	
2 dozen pencils	2 00	
1 gold pen-holder	3 00	
2 boxes envelopes	2 00	
1 bottle ink	50	
10 reams manila	3 00	
1 box pens	1 50	
3 press books	9 00	
		22 45

(Office Solicitor of Treasury.)

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W. Whelan:		
14 boxes tapers	$5 80	
Repairing gas fixtures	1 00	
		$6 80
W. S. Mitchell:		
1 mat	$1 50	
100 yards matting	75 00	
42 yards matting	37 80	
		114 30
E. B. Smith:		
Traveling expenses		85 40
N. A. Poole:		
Soap, 60 cents; matches, $2.75	$3 35	
4 brooms, $1.60; ½ dozen whisk brooms, $1.50	3 10	
3 mouse-traps, 50 cents; 2 dusters, $5.60	6 60	
		12 55
Western Union Telegraph Company:		
Telegraphing, June (office Solicitor of Treasury)		2 79
Solomons & Chapman:		
10 reams note, stamped	$100 00	
5 reams note	42 50	
1,000 envelopes	13 00	
1,000 envelopes	18 00	
20 reams manila	8 00	
1 oil stone	2 00	
2,000 envelopes	13 00	
1 pair scissors	1 50	
1 dozen rolls pins	1 75	
1 dozen rolls pins	1 25	
2 dozen penholders	1 50	
1 dozen penholders, rubber	4 00	
1 dozen erasers	4 00	
⅔ dozen mucilage stands	2 00	
24 gross bands	24 00	
2 gross pens	3 00	
1 dozen erasers	6 00	
1 dozen rolls pins	1 50	
12 dozen taste	18 00	
5 reams note, stamped	50 00	
		315 00
Thomas Kelly:		
Shoeing horses, June		12 50
June 30. Washington Nailor:		
Livery of 2 horses, June		50 00
W. H. & O. H. Morrison:		
1 Pennsylvania Reports, volume 80		4 50
Mohun Bros.:		
12 dozen silk braid, $1.50		18 00
John B. Sweat:		
For services in pardon bureau, from February 26 to March 3, 1877		25 00
D. B. Canfield & Co.:		
Subscription to American Law Register		12 00
Lutz & Bro.:		
1 whip		2 00
A. J. Joyce:		
1 hinge and repairing door	$3 00	
2 straps	50	
1 bolt and nut	38	
Setting 1 axle and 2 tire-bolts	1 70	
2 lock-plates	2 00	
		7 58
A. J. Joyce:		
New linen lining		16 67
Total actually expended		11, 458 45
Balance of appropriation in the treasury, including repayment subsequent to June 30, 1877, by disbursing agent		541 55
		12, 000 00

EXHIBIT H.—*Report of the warden of the United States jail.*

WASHINGTON, D. C., *November* 1, 1877.

SIR: In obedience to an act of Congress approved March 5, 1872, I have the honor to submit the following report for the year which ended October 31, 1877.

It is nearly two years since we took possession of the new jail-building

for the incarceration of prisoners. At that time it was in an unfinished condition, owing to the want of adequate appropriations.

The work of finishing up the building, and grading, draining, and improving the grounds, which, at the time my last annual report was submitted, was being done by the use of prison labor principally, has been continued to the present time by the same kind of labor, and now, I am gratified to state, the building is finished and in excellent condition.

Having used the building nearly two years for prison purposes, I am prepared to state, as the result of my observation and experience, the jail-building is admirably suited in all its parts for the purposes for which it was designed. It is what is termed a jail-building within a jail, and is a strong, substantial structure, well calculated to secure the safe-keeping of its inmates.

The system of ventilating the various parts of the building is most thorough and complete, which is in my judgment a matter of first importance to be considered in connection with the prison. It is so admirably arranged in this regard that by enforcing proper sanitary measures and observing and strictly carrying out rules of cleanliness, such as bathing the prisoners, washing their bedding and clothing, and scrubbing and disinfecting their apartments, we are at all times comparatively free from offensive odors, noxious gases, and impure air within the building.

The provisions for heating, washing, bathing, and cooking are quite perfect and complete. Another gratifying result has been obtained, and that is, we have had a remarkable condition of health, and no death has occurred among the inmates during the year, nor indeed since the new jail-building has been occupied, and this, notwithstanding the location is in what is generally considered a decidedly miasmatic district, bordering extensive marshes. I think we may fairly claim that this favorable condition of health can mainly be attribted to clean, well-ventilated apartments, proper light, good drainage, a separate system of confinement, together with the fact that the prisoners themselves have been compelled to bathe their persons and to wash their bedding and clothing with reasonable frequency, and have been furnished with good, wholesome diet and excellent medical attendance.

The system of confinement in this institution is the separate or individual system, which as a reformatory has many advantages over the former method of congregating together an indiscriminate mass of unfortunate beings charged with crime, some of whom may be innocent, others just entered upon a career of crime, and others of the most abandoned classes, hardened and debased by a wretched life of criminal practices. The moral tendency among prisoners thus herded together is always downward to the plane of the lowest grade, the influence of the best being overcome and lost before the more positive and debasing influences of the worst; while by our system each prisoner has a separate room, free from the corrupting influence of others, where he is responsible only for his own acts. He yields more readily to proper discipline and moral restraint, and is a fitter subject in every sense for the full and free operation of reformatory influences. Hence the moral tendency of our system is upward and not downward. The chances are that he goes out with his moral condition improved, and with better resolutions than when he came.

When we came into the possession of the premises there was a rugged embankment upward of six feet above the grade on the south side of the grounds, fronting on the street, of about one hundred feet by two

hundred feet in extent, and directly to the rear of the building was a depression of the ground, and a ravine of greater extent than the embankment.

During the summer and fall the work of removing the embankment and filling up the ravine and depressed ground has been carried on by prison labor, and the work is still progressing. Also, during the present season a new coal-vault has been constructed on the northeast side of the building, under the direction of the Supervising Architect of the Treasury. It connects with the engine-room in the basement by means of a tunnel. Its dimensions are forty-five feet in length, thirty-eight feet in width, and fifteen feet in depth, and it is entirely below the surface of the ground. It is most substantially built and has sufficient capacity to answer the requirements of the institution.

All of the unskilled labor and a portion of the mechanical labor used in excavating for and in building the vault were performed by prisoners.

In my last annual report the subject of building enclosing walls and workshops was mentioned substantially as follows:

> The jail premises are still without enclosing walls. The building is situated in an isolated and exposed position outside of the population of the city, and beyond the assistance of the police authorities. Under these circumstances the officers and guards are the sole reliance for its protection and to secure the safe-keeping of the prisoners, except such protection as the building itself affords. This has rendered it necessary to continue in employment the full force of guards heretofore authorized, and a larger number than will be required when the enclosing walls shall be built.
>
> It has been demonstrated this year that the labor of such prisoners as we have here in jail can be made profitable; and besides that, as a reformatory measure, their employment in some kind of useful labor is an appliance of reformation, and productive of salutary results. Therefore, I would again suggest the propriety of providing workshops, and the necessary facilities and means for putting those that shall have been convicted and sentenced to some kind of labor that can be made remunerative, and in some measure recompense the government for their sustenance. For the most part they are young men and women in good health, of vigorous constitution, and able to work. Hard labor, although it has but few attractions for most of them, is much better for them in a moral as well as physical point of view than idleness within the walls of their cells. Workshops and facilities for carrying on such work can be provided at little cost as soon as enclosing walls shall be built. I would respectfully suggest that, as a means of protection and security, as well as a saving of expense in guarding the prison, such enclosing walls should be built at an early day. If the material were furnished most of the labor required to build them could be done by the prisoners.

Those matters are still regarded with the same importance, as the condition remains unchanged, and the suggestions then made still apply with equal force.

The report of Dr. Noble Young, the physician to the jail, made to the warden, and hereto annexed, exhibits more in detail the sanitary condition of the institution, the general condition of the inmates, treatment of diseases, &c., than is herein contained, and is entitled to a careful perusal.

The prisoners have been furnished good, wholesome food, consisting of beef, bacon, fish, vegetables, tea, coffee, wheat and corn bread, &c., in sufficient quantities and of suitable varieties; and such as were destitute of clothing, and without means of providing it for themselves, have been furnished a reasonable quantity to render them comfortable. They have all been provided with comfortable beds and bedding suitable to their condition.

We have no chaplain, but moral and religious exercises have been held on Sundays by gentlemen representing the Young Men's Christian Association of this city, and on Wednesdays by ladies from the Ladies' Christian Temperance Union of this city. These gentlemen and ladies have been untiring in their efforts to promote the moral and spiritual welfare of those committed to our charge, and in my opinion very decided

and beneficial reformatory results have been accomplished by their united labors. In many cases they have led to radical changes, leading to a better life and permanent reformation.

The deputy warden and subordinate officers are entitled to commendation for their fidelity, uniform courtesy, and efficiency in the discharge of their respective duties. It has been my aim to associate with me active and intelligent men, of quick discernment, firmness, and kindness, who would manifest a lively interest in the prosperity and success of the prison. In this I believe I have succeeded; they have been prompt and attentive to their duties, have rendered me valuable assistance in carrying into practice the rules governing the institution, and maintaining good discipline, while their treatment of prisoners has been humane and just.

Prisoners that are convicted and sentenced by the criminal court of this District to the penitentiary, and such boys as are sentenced by the criminal and police courts of this District to the reform school, are committed to the warden of the jail, who is required by law to transport them to such penitentiary or reform school as they may have been sentenced respectively. In compliance with the law I have transported to the penitentiary at Albany, N. Y., during the present year, one hundred and six (106) convicts, and to the Maryland penitentiary at Baltimore, Md., ten (10) convicts, at an actual cost and expense of $2,453.30.

I have conveyed this year forty-four boys to the reform school of the District of Columbia. The boys were taken to the reform school in the jail-wagon, and without any additional expense.

There has been expended for painting, glazing, sewerage, repairs on machinery and heating-apparatus, out-buildings, gas-fixtures, grading, and fences, $1,375.69.

The annual salaries of the physician, guards, engineer, assistant engineer, firemen, messenger, and cooks have amounted to $35,765.90.

The other expenditures on account of the jail during the year were as follows:

Subsistence of prisoners	$17,894 67
Medicines, delicacies for the sick, lime, disinfectants, and soap	667 53
Beds, bedding, and clothing	3,944 46
Fuel and lights	2,457 83
Horse-keeping, repairs on wagon and harness, ice, and miscellaneous articles	1,251 43
Stationery, blanks, and blank-books	130 75
Furniture, hard, tin, and wooden-ware, night-tubs, and cell-buckets	1,316 43
One bay mare, bought for jail use	105 00
One milch cow	60 00

The daily average number of prisoners confined in jail during the year was 238. The highest number of prisoners in jail at any one time was 271, and the lowest number was 195.

The total number of prisoners in jail during the year was 2,405; of whom 2,151 were males and 254 females.

Of these numbers there were in jail at the close of the year 257; of whom there were males, 230; females, 27.

	Males.	Females.
There were sent to the Albany penitentiary	99	7
There were sent to the Maryland penitentiary	10	.....
Sent to the Reform School, District of Columbia	44	.....
Pardoned by the President	20	2
Released from custody during the year	1,748	218

No prisoner has escaped from our custody during the year.

The prisoners committed to jail during the year were charged with offenses as follows:

	Males.	Females.
Murder	7	4
Assault with intent to kill	47	5
Rape	10	.....
Burglary and larceny	41	3
Grand larceny	99	10
Embezzlement	11	.....
False pretenses	26	.....
Robbery	28	3
Receiving stolen goods	5	.....
Forgery	26	2
Perjury	3	.....
Presenting false claims	2	.....
Abstracting court records	1	.....
Arson	2	2
Resisting Metropolitan Police officers	22	.....
Assault and battery	455	70
Mayhem	2	.....
Counterfeiting	2	.....
Bench warrant	35	.....
Adultery	1	.....
Keeping unlicensed bar-room	6	.....
Keeping faro-bank	5	.....
Contempt of court	18	3
Threats of personal violence	73	6
Assault	66	7
Keeping bawdy-house	.....	12

Of those who were committed to jail as above stated, 1,400 were tried, convicted, and sentenced for crimes classified as follows:

	Males.	Females.
Murder	.....	1
Manslaughter	4	1
Grand larceny	64	3
Forgery	2	.....
Robbery	12	2
Presenting false claims	2	.....
Assault with intent to kill	3	.....
Burglary	1	.....
Keeping gaming-house	1	.....
Embezzling letters	2	.....
Horse-stealing	2	.....
False pretenses	1	.....
Assault with intent to ravish	1	.....
Producing abortion	1	.....
Resisting Metropolitan Police officers	12	.....
Burglary and larceny	3	.....
Rape	2	.....
Counterfeiting	1	.....
Mayhem	2	.....
Petit larceny	504	63
Assault and battery	382	76
Assault	23	1
Affray	60	6
Receiving stolen goods	1	.....
Embezzlement	4	.....
Abstracting court records	1	.....
Attempt at burglary	1	.....
Robbing mailed letter	1	.....
Attempted robbery	1	.....
Selling lottery-tickets	4	.....
Keeping bawdy-house	.....	12
Keeping disorderly house	2	1
Contempt of court	10	6
Adultery	2	.....
Enticing prostitution	.....	1
Destroying property	1	.....
Trespass	22	.....
Maintaining nuisance	3	2
Threats of personal violence	66	8
Incorrigibility	13	.....

Very respectfully, your obedient servant,

JOHN S. CROCKER, *Warden.*

Hon. CHARLES DEVENS, *Attorney-General U. S.*

EXHIBIT H.—*Report of the physician to the United States jail.*

HOSPITAL DEPARTMENT,
UNITED STATES JAIL, DISTRICT COLUMBIA,
Washington, D. C., November 1, 1877.

MY DEAR GENERAL: I am happy to report favorably as to the healthiness of this prison at the present time. We have had during the past year the usual amount of disease, and of the character presented to us arising from the habits of those committed, but none has occurred which has not yielded to treatment.

Another year has presented the phenomena of a building on the border of marshes rank with the vegetation of a most prolific year and yet escaping any severe malarial influences of such regions. We have had but 14 cases of malarial disease among the prisoners, amounting to a daily average of 250, and 6 of those most probably brought the seeds of disease with them upon entrance to the prison.

A few cases occurred among the officers—not more than half a dozen. We still take the precaution to close the windows on the side of the marshes before sundown, and only raise them after 9 a. m. each day successively.

The same liberal use of disinfectants is made, and bathing twice weekly is practiced punctually. All offal is speedily removed, our sewers kept in efficient condition, healthy and abundant food, clean beds, clothing frequently changed, vermin of all kinds destroyed, and every means used to insure health.

We have had no death this year and but one birth (still-born).

Another year's experience tends to confirm me in the belief that the treatment of alcoholism and the sottishness of the opium-eater practiced in this department is correct—abrupt and decided discontinuance of the use of these noxious agents, using stimulants, such as alcohol, only in case of great collapse of the vital powers. In the case of opium-eating I have not been able, or have feared to venture, to withdraw suddenly the opiate, but have reduced it in very severe cases day by day rapidly, so that in a few days none is required. In the mean time bromide of potassium and chloral hydrate have been used as calmatives only, not to the extent of stupefying, but assisting in quieting nervous perturbation and awaiting the resumption of normal powers. Of the many cases presented, not one has failed to be relieved in a very short space of time. Of course healthy and nutritious food, such as soups, milk, and eggs, are given as soon as they can be retained, and proper attention to the general health. An occasional alterative of blue mass with soda or protochloride of mercury, in no abundance, to correct vitiated secretions, and rest following gentle exercise.

I would beg leave to call your serious attention to the continued existence of a small-pox hospital upon the grounds belonging to the institution, and which will have very soon to be used for its purposes. It will be impossible to prevent intercourse between the officers and prisoners of this jail and the employés of the hospital, only a few rods apart, which may be attended with the most serious consequences by the introduction of disease among 250 or 300 inmates of our prison. I trust that you will find it proper to invite the action of the authorities to the removal of this danger.

I take this opportunity to thank the officers of this institution for their cheerful and efficient support in my efforts to discharge my duties

in this department, and yourself for prompt and kind assistance and the preservation of most friendly relations.

With respect, your obedient servant,

N. YOUNG,
Physician United States Jail, District Columbia.

General JOHN S. CROCKER,
Warden United States Jail, District Columbia.

EXHIBIT J.—*Report of the president of the Board of Metropolitan Police.*

DEPARTMENT OF METROPOLITAN POLICE,
OFFICE OF THE BOARD,
Washington, D. C., October 31, 1877.

SIR: The board of police respectfully submit their sixteenth annual report upon police matters within the District of Columbia for the year ending September 30, 1877.

The Metropolitan police force exists by virtue of the act of Congress approved August 6, 1861, and the several acts amendatory thereof and supplemental thereto. When organized it was exclusively paid by the United States, but since July 1, 1864, the District authorities have been required to contribute a varying proportion of the cost of its maintenance.

In 1861 the population of the District was 61,122, and the assessed valuation of property, exclusive of the government, was $54,166,173. The population at last census, in 1870, was 131,700, and the assessment of individual property, at a true valuation, was $126,873,618.

During the same period the government property within the District has been increased in a greater ratio, both in quantity and value. For the protection of individuals and property, as existing in 1861, Congress authorized a police force of 150 patrolmen, with a suitable corps of officers and clerks.

In 1866 the increase of wealth and population was deemed sufficient by Congress to justify an increase of 200 patrolmen; but although in the eleven succeeding years the vacant lots in the cities of the District have been covered by costly buildings, the improved squares have been pushed outward in every direction, so as to embrace previously unoccupied fields, and both the property and population, individual and Federal, have doubled in amount, yet not only has no proportional increase of the police force been authorized, but under the appropriation of the past two years the number of patrolmen has been considerably reduced. As fixed by act of Congress for eleven years past, the force is required to consist of 200 patrolmen and a prescribed corps of officers.

The compensation of the men is fixed by statute, and both their qualifications and tenure of office are similarly regulated by act of Congress. They hold their commissions for life or good behavior, and can only be dismissed upon formal charges and trial for proven violations of the rules and regulations prescribed in the police manual.

The Metropolitan police force thus exists by virtue of acts of Congress, which prescribe its numbers, regulate its organization and employment, and which fix the pay of its officers and men, and declare their right to receive the same at stated periods. Each department of the government is, however, inhibited from expending moneys in excess of Congressional appropriations; and during the past two years Con-

gress has curtailed the amount of the United States appropriation for police purposes, while leaving in legal existence a force with prescribed salaries in an aggregate excess of the appropriations. The law requires that the United States shall pay two-thirds of the salaries of the police department, and the District authorities one-third thereof, and that the District shall, in addition thereto, without cost to the United States, furnish the necessary station-houses and light, and warm the same. Under this statutory rule of proportional expenditure by the United States and by the District, an appropriation of $205,270 was made on the part of the United States up to and including the fiscal year terminating June 30, 1876. But for the next two years Congress, without changing the rule of expenditure, appropriated only $150,000 on part of the United States. A deficiency on part of the government was thus created to a yearly extent of $55,270 if the force was maintained as prescribed by the act of July 23, 1866.

The board of police had no power to dismiss men except in the mode and for the causes prescribed in the statute. It could not make up the deficiency from the District funds, as the act of Congress prescribed the exact ratio of payment. It could, therefore, only bring the prescribed expenditures within the reduced appropriation by omitting to fill vacancies, as same from time to time occurred by dismissal of men under the statutory requirement of trial and conviction for prescribed violations of duty. In this manner the force has been gradually reduced until its present maximum of patrolmen numbers only 179, instead of 200 as authorized by statute, and 9 mounted men instead of 21, as heretofore authorized. It follows, then, that there are now 12 less mounted men and 21 less patrolmen than were in service eleven years since. A further reduction will be unavoidable to bring the necessary expenditures of the service within the present appropriations. With the present force, the beat of a policeman in the cities of Washington and Georgetown, if he passes through all the principal streets and alleys of his beat, will average ten miles per man. After passing a given point, it will necessarily take the patrolman hours before he can pass around his beat and return thereto. Outside of the corporate limits of Washington and Georgetown, a footman is useless among the country roads. Mounted men are indispensable. But the present appropriation only allows 9 mounted men to parol the county from the Potomac ferry, opposite Alexandria, to the Chain Bridge, above Georgetown—a belt approximately six miles wide by twenty-four in length. It is not surprising that the inquiry, "Where are the police?" is occasionally heard; and that it is not more frequently propounded is a high tribute to the organization and efficiency of this limited force.

It is respectfully recommended that, as an act of the plainest justice, the appropriation on part of the United States should be advanced to its former standard as required by existing laws; and that a decent protection of the large population and great values now located in this District would dictate a very considerable addition to the authorized maximum of the present force. The immense values of government property permanently located here, the large number of transient visitors constantly present in the District, the numbers and wealth of the resident population, and the very considerable proportion of the criminal class stranded here by the war, and at all times naturally gravitating to the capital of the nation, would, in the exercise of a sound discretion, dictate as an economical measure the placing of four hundred patrolmen upon the streets of this District.

While 179 patrolmen constitute the existing force, that statement

does not give a fair idea of the number available for street duty. Large details are continually required at public receptions of officers of the government, foreign ministers, and prominent residents. A permanent detail of one sergeant and three men is required at the Executive Mansion, two at the police court, one at the General Post Office, one each at the intersection of the street-railways, and one each at the steam-railroad depots and steamboat-wharf. Still further details are required for the Smithsonian grounds and other government reservations, which by a recent act of Congress are placed within the jurisdiction of this department and required to be patroled by our men.

During the sessions of the police and criminal courts an average daily attendance of forty men is necessitated as complainants, witnesses, or in charge of prisoners. When to these indispensable details is added the usual percentage of sickness, there is left for street duty in the entire District not exceding a force of one hundred patrolmen. Necessarily, the streets are often uncovered, and at times not more than three or four men are on duty in whole precincts.

This police department is governed by five commissioners, who perform a disagreeable public trust for a merely nominal compensation. They are appointed by the President of the United States for the term of three years, and originally confirmation by the Senate was required. In the Revised Statutes the requirement of confirmation was omitted. It is submitted that, in harmony with the rule as to all other Presidential appointments, the requirement of confirmation should be re-enacted, and that the commissions of the present incumbents should be submitted to that usual ordeal.

Under existing statutes it is made mandatory upon the board of police to appoint to the force only honorably discharged soldiers and sailors. Under the opinion of the attorney of the board this provision of law is equally applicable to "special privates," appointed without cost to the public, but upon the application and at the charge of responsible citizens or officers of the several departments. Under this provision it has been impossible to reappoint many valuable "specials," as, from time to time, their commissions expired. The force has thus lost and will continue to lose the benefit of some of its most experienced and trusted assistants. And even as to the regular force, a continuance of this restrictive rule works serious injury. Twelve years have lapsed since the close of the war, and discharged soldiers who were in the vigor of early manhood are now rapidly advancing toward old age. If unrepealed, the provision will soon make the force an asylum for old men. Furthermore, after the lapse of so many years, the area of selection from qualified parties resident in this District is necessarily and rapidly diminishing. In the opinion of this board, this provision of law should be at least so far modified as to be discretionary instead of mandatory.

Under the provisions of section 435 of the Revised Statutes, applicable to the District of Columbia, 539 applications for the approval of licenses to sell liquor by the small have been made to this board, of which number 472 have received its approval and 67 have been disapproved. The number of approvals have been more than in any preceding year, but this increase is believed to be attributable to a more rigid enforcement of the license laws, rather than to an increase of such places.

The enforcement of this law is one of the most delicate and troublesome matters with which this board has to deal. Temperance people, who believe that the licensing of the sale of liquors is the licensing of

vice, press the board to enforce the law in its most restrictive sense, while dealers are naturally incited to urge a most liberal construction. However the board may act, it is necessarily subjected to severe criticism and opposition. Interested parties and their friends importune the individual members of the board, and leave each but little leisure for the pursuit of other business.

This board has conceived that it has no right to consider theorists upon either side of this question. It has nothing to do with the question of license or prohibition. That question is settled by act of Congress, and we have only to fairly and judiciously enforce its provisions. If any applicant has presented himself with the requisite qualifications, has not willfully violated the laws under which he exercises his privilege, and the opening or conduct of his place is not shown to be conducive to the increase of crime or vice, this board has felt bound to accord its approval. If he has failed in these general requirements, his application has been disapproved. To properly inform all parties in interest, this board, on the 5th of last April, printed the regulations in accordance with which it would approve or disapprove liquor applications. Copies thereof were served upon each known bar-room in the District, and it has since sought to enforce the law in strict accordance with such notice. The regulations took effect and have been enforced only from and after their date, and they were compiled from a careful examination of the District laws and from similar regulations in force in all the principal cities of the country. A clear line of distinction runs through these regulations. Where a matter connected with the sale of liquor by the small was made an offense by law, federal or municipal, and the criminal courts clothed with jurisdiction over same, this board has declined to be governed by other information than the judgment of said courts. Upon conviction by said courts of a violation of the liquor laws, the board declined to grant a renewal of license to the guilty party at expiration of its term. If, however, the licensee was shown to have been guilty of some act not specifically placed by law as an offense within the jurisdiction of some judicial tribunal, and yet which would tend to promote vice or increase crime (such as notoriously allowing his place to be the rendezvous of disorderly or suspicious characters), this board has felt authorized to itself examine into the facts, and when reasonably satisfied of their existence has refused the license. It is confidently believed that few licensees can accuse this board of undue severity in its enforcement of the license-law, except where they can be clearly proven to be convicted violators of the law; and that no citizen can assail it upon the ground of unwise leniency unless he is a prohibitionist. It is roughly estimated that, including bar-rooms, grocery-stores, apothecary-shops, and other places, about 2,000 places are operated in this District for the sale of liquor by the small. If all these places were licensed, a revenue would accrue to the District of $200,000, more than sufficient to pay the entire quota of its police expenses. Heretofore less than $40,000 per annum have been collected. This board has considerably increased this amount during the eight months of its existence, and it will continue to seek out parties who are evading the law and compel them to comply with its provisions. The increased revenue will not evidence an increase of such places, but simply a more rigid enforcement of the law against those already existing. It is respectfully submitted that the present license law is radically defective, in stopping where it should properly commence. This board has the power to grant, but not to revoke. After an application for license has been approved, it remains in force until the end of the

license year, without power of revocation. In the opinion of this board, qualified applicants who present the requisite assent of property-holders and residents, should be allowed to take out their licenses without further approval, as livery-stables are permitted to do; and that for violations of law or other breach of their privileges, the board of police should be vested with summary power to investigate the facts, and, upon sufficient cause, to revoke the license, and to raid and close the place. If the law were so amended, the control of obnoxious places would be comparatively easy.

The recent labor-riots have demonstrated the necessity for a disciplined organization in the police departments of this country. To meet such emergency the board has detailed a competent man from the force to act as drill-master. He drills the men in simple marching evolutions and in the use of the baton. His position should be made permanent, and clothed with the sanction of law to give him the requisite authority. No arms have been furnished to this force, and no funds for the purchase of such arms. In event of a riot at the capital of the nation, this would become a serious matter.

The board of police during the late riots obtained from the War Department a loan of 200 revolvers and the requisite equipments. It is recommended either that a sufficient appropriation should be made for the purchase of such pistols, or that the War Department should be authorized to issue them to the police force upon proper requisition and vouchers.

By courtesy of the Secretary of War and the Chief of Ordnance, this board has been permitted to retain the borrowed arms until Congress appropriates funds for their purchase. See letter of Chief of Ordnance of the 30th instant, hereto appended.

During the past year a mysterious robbery was perpetrated upon the safe of the property-clerk. That officer had in his safe upwards of $20,000 in current funds, from which only $284 was taken. Beyond suspicions no clew has been obtained to the perpetrator of this robbery, but, under opinion of its attorney, this board required the property-clerk to make good the loss, as ordinary disbursing-officers are required to do in similar cases, and to look to Congress for equitable relief. His case is submitted for the equitable consideration of Congress. It is not deemed essential that the office of property-clerk should be continued as a special tax upon the Treasury. The duties are very light, not exceeding an hour or two per day on an average, for which he is paid an annual salary of $1,800. By the organic act of 1861, no such separate office existed.

The whole matter of lost, abandoned, or stolen property, was placed within the exclusive control of the board of police, and it was required to detail an ordinary patrolman for the performance of its duties. By the supplemental act of 1862, this special and salaried office was created; and while the power of removal or appointment was lodged with the board of police, its further control over said officer was quite indefinite. It is believed that the expense of this office may, without inconvenience, be saved by abolition of its salaried and statutory authority, and by enjoining the performance of its duties upon the secretary of the board without additional compensation. This board so recommends. Upon the ground of economy, and for other sufficient cause, it has removed the late incumbent, and temporarily imposed its duties upon the secretary of the board until the will of Congress has been expressed upon the matter of its salaried continuance, requiring of him a bond in double the sum heretofore exacted of the property-clerk.

Provision should be made for the feeding of prisoners temporarily confined in the several station-houses. No appropriation whatever exists for that purpose, nor are the District authorities authorized to levy any tax to that end. As the courts are not in session upon the Sabbath, prisoners arrested on Saturday evening are necessarily held over until Monday morning; but, in the absence of any appropriation for the purchase of food, the board has no funds at its disposal, either from the United States or the District, and prisoners are dependent for their meals entirely upon the charity of the police-officers from their own slender resources. Common humanity would require that such a patent wrong should be remedied by sufficient appropriations.

The police telegraph is owned by the United States, and was erected at large expense a number of years since. It is an indispensable and necessary adjunct to efficient police service. It runs to the extreme points of the District, and connects all prominent points with police headquarters. The instruments operate by friction, and, in the absence of suitable appropriations in the past for their renovation and replacement, they have been necessarily wearing out. Unless replaced by new instruments, the telegraph system of this department will become inoperative at an early date. The preservation of the existing outlay and the urgent necessity of the service render it indispensable that Congress should appropriate sufficient moneys for the purchase of new instruments and the general repair of the lines.

The printing of this force has heretofore been done by the Department of Justice, but the present Attorney General has ruled that there is no authority of law requiring its payment from his appropriation. Much of this printing is required by statute, and the balance is both necessary and economical. If the board of police is remitted by the late ruling of the honorable Attorney-General to do its own printing, a sufficient appropriation should be made for that purpose.

This board believes that it has in its service a body of men who will compare most favorably with any similar organization in the country. They are appointed after most rigid examination, their discipline is maintained at a high standard, and they are removed from the ordinary political and social influences. A comparison of the acts of Congress organizing this force with similar acts in the different States will amply testify to the wisdom of Congress in its legislation upon this subject. The experience of all civilized communities has demonstrated the imperative necessity of an independent police commission, and in no place has it been created with such effective simplicity and economy as in this District. Its best encomium is that it has stood the severe test of the past sixteen years, and remains to-day one of the oldest and most perfect police organizations in the country. In conclusion, attention is respectfully called to the reports of the major and superintendent of police and the property clerk, which are herewith submitted as a part of this report. These reports contain interesting tables of statistical information relating to the operations of the force during the year.

Respectfully submitted.

A. T. BRITTON,
President Board of Police.

The Hon. ATTORNEY-GENERAL.

ORDNANCE OFFICE, WAR DEPARTMENT,
Washington, October 30, 1877.

GENTLEMEN: Your letter of the 22d October, asking that your board be allowed to retain the 200 revolvers, the property of the United States,

now in your possession, and which were loaned you on the 24th of July ultimo, has been referred to the Secretary of War. He authorizes you to retain them, provided you will take measures to induce Congress to appropriate funds for their purchase. Under this authority the request of the 15th instant from this office is revoked, but it is understood that the arms must be kept by you in a serviceable condition, and ready at all times to be returned should it become necessary to call for them.

Respectfully, your obedient servant,

S. V. BENÉT,
Brigadier-General, Chief of Ordnance.

The BOARD OF METROPOLITAN POLICE,
Washington, D. C.

DEPARTMENT OF METROPOLITAN POLICE,
OFFICE OF MAJOR AND SUPERINTENDENT,
Washington, D. C., October —, 1877.

GENTLEMEN: I herewith respectfully submit my report of the operations of the police force for the year ending September 30, 1877, comprising such statistical and tabular information as is required by law.

A. C. RICHARDS,
Major and Superintendent.

The Hon. BOARD OF METROPOLITAN POLICE COMMISSIONERS.

No. 1.—*Table showing the disposition of the force.*

Precincts.	Major and superintendent.	Captain and inspector.	Lieutenants.	Sergeants.	Privates.	Detailed.	Vacancies.	Total.
First	.....	.....	1	1	23	2	3	30
Second	.....	.....	1	2	20	.....	1	24
Third	.....	.....	1	2	16	1	5	25
Fourth	.....	.....	1	2	19	2	2	26
Fifth	.....	.....	1	4	21	2	4	32
Sixth	.....	.....	1	3	19	2	2	27
Seventh	.....	.....	1	3	26	2	.....	32
Eighth	.....	.....	1	3	25	2	.....	31
.....	1	.....	.....	.....	.....	.....	.....	1
.....	.....	1	1	.....	.....	.....	.....	2
Detectives	.....	.....	1	.....	5	.....	1	7
Sanitary	.....	.....	.....	.....	1	.....	.....	1
Total	1	1	10	20	175	13	18	238

No. 2.—*Table showing time lost by sickness and other causes.*

Precincts.	Sick.	With permission.	Without permission.	Days.
First	450	121	3	584
Second	266	112	.....	378
Third	207	100	.....	307
Fourth	186	121	5	312
Fifth	471	239	28	738
Sixth	193	170	29	392
Seventh	515	275	23	813
Eighth	716	245	3	964
Detectives	.....	.....	.....	.....
Sanitary	.....	4	.....	4
Total	3,004	1,397	91	4,492

No. 3.—*Table showing number of arrests in each precinct.*

Precincts.	Males.	Females.	Total.
First	1,440	413	1,853
Second	1,268	288	1,556
Third	890	114	1,004
Fourth	1,132	171	1,203
Fifth	2,507	430	2,937
Sixth	671	81	752
Seventh	1,651	206	1,857
Eighth	990	192	1,182
Sanitary	8	2	10
Detectives	470	59	529
Total	11,027	1,956	12,983

No. 4.—*Table showing the ages of the males arrested, classified.*

Precincts.	From 10 to 20.	From 20 to 30.	From 30 to 40.	40 and over.	Total.
First	355	550	302	233	1,440
Second	370	394	246	258	1,268
Third	153	330	202	205	890
Fourth	291	353	272	216	1,132
Fifth	388	842	628	649	2,507
Sixth	165	197	145	164	671
Seventh	378	562	405	306	1,651
Eighth	248	316	204	222	990
Sanitary	.....	1	1	6	8
Detectives	114	208	93	55	470
Total	2,462	3,753	2,498	2,314	11,027

No. 5.—*Table showing the ages of the females arrested, classified.*

Precincts.	From 10 to 20.	From 20 to 30.	From 30 to 40.	40 and over.	Total.
First	126	175	69	43	413
Second	81	127	59	21	288
Third	26	45	19	24	114
Fourth	33	64	33	41	171
Fifth	80	214	86	50	430
Sixth	15	28	19	19	81
Seventh	45	80	58	23	206
Eighth	62	68	31	31	192
Sanitary	.....	1	1	.....	2
Detectives	32	18	3	6	59
Total	500	820	378	258	1,956

No. 6.—*Recapitulation of offenses, classified.*

Offenses against the person.	Male.	Female.	Total.
Affray	162	9	171
Assault	89	21	110
Assault and battery	1,143	239	1,382
Assault and battery with intent to kill	58	6	74
Assault on policemen	27	4	31
Adultery	2	.....	2
Attempt at rape	7	.....	7
Bastardy	4	.....	4
Bigamy	1	.....	1
Carrying concealed weapons	58	5	63
Contempt of court	75	31	106
Cruelty to children	.....	2	2
Disorderly conduct	1,034	313	1,347
Deserters	21	.....	21
Enticing prostitution	.....	2	2
Fast riding or driving	26	1	27
Fighting in the street	37	.....	37
Fugitives	90	12	102
Habitual drunkenness	4	.....	4
Highway robbery	3	.....	3
Intoxication	2,726	241	2,967

No. 6.—*Recapitulation of offenses, classified*—Continued.

Offenses against the person.	Male.	Female.	Total.
Intoxication and disorderly	548	121	669
Insanity	20	6	26
Indecent exposure of the person	47	1	48
Interfering with policemen	3	1	4
Idle and incorrigible	4	.....	4
Intimidating witnesses	1	.....	1
Indecent assault	1	.....	1
Insubordination	7	.....	7
Keeping disorderly house	6	4	10
Keeping bawdy house	4	22	26
Keeping gambling house	27	.....	27
Keeping policy shop	9	1	10
Libel	1	.....	1
Miscellaneous misdemeanors	59	6	65
Murder	7	.....	7
Perjury	10	5	15
Policy dealers	2	.....	2
Profantity	139	84	223
Personating an officer	1	.....	1
Rape	7	.....	7
Resisting officer	30	.....	30
Rioting	17	.....	17
Threats of violence	274	126	400
Trespass	8	1	9
Vagrancy	355	199	554
Witnesses	107	22	129
Total	7,271	1,485	8,756

No. 7.—*Recapitulation of offenses, classified.*

Offenses against property.	Male.	Female.	Total.
Attempt to steal	3	.....	3
Arson	3	2	5
Burglary	33	3	36
Cruelty to animals	24	.....	24
Counterfeiting	2	.....	2
Embezzlement	5	.....	5
Forgery	23	3	26
Forcible entry	2	.....	2
Fraud	6	.....	6
Grand larceny	134	16	150
Gambling	27	.....	27
Malicious mischief	45	6	51
Obtaining goods or money under false pretenses	38	8	46
Petit larceny	873	183	1,056
Pickpockets	13	.....	13
Passing counterfeit money	6	.....	6
Robbery	41	4	45
Receiving stolen goods	31	9	40
Suspicion	506	32	538
Selling lottery-tickets	2	.....	2
Trespass	134	7	141
Violation of District ordinances	1,805	198	2,003
Total	3,756	471	4,227

No. 8.—*Nativity of those arrested, classified.*

Nativity.	Number.	Nativity.	Number.
United States (white)	5,457	Switzerland	10
United States (colored)	5,460	Wales	2
Ireland	1,214	Sweden	5
Germany	512	Asia	2
England	124	Mexico	1
Italy	41	Russia	9
France	42	Turkey	1
Scotland	50	Austria	1
Belgium	2	West Indes	2
Canada	18	China	1
Denmark	9	Brazil	1
Holland	1	Russia	3
Norway	8		
Poland	6	Total	12,983
Spain	1		

No. 9.—*Table showing trades and callings of persons arrested.*

Occupation.	Number.	Occupation.	Number.
Artists	7	Housekeepers	588
Apprentices	12	Horse	19
Auctioneers	12	Hostlers	17
Actors	3	Harness-makers	10
Agents	104	Hemp-makers	1
Architects	4	Jewelers	20
Boatmen	50	Junk-shop keepers	25
Barbers	84	Laborers	3,905
Bar-keepers	128	Lawyers	67
Blacksmiths	116	Livery-stable keepers	24
Bricklayers	163	Lamplighters	9
Brickmakers	13	Locksmiths	7
Butchers	91	Loafers	4
Bakers	84	Mechanics	4
Book-binders	15	Merchants	193
Brewers	7	Machinists	48
Broom-makers	6	Musicians	21
Basket-makers	4	Millers	7
Boiler-makers	8	Messengers	26
Builders	4	Magistrates	1
Brokers	12	Marines	50
Bill-posters	10	Molders	25
Block and pump makers	4	Model-makers	1
Boat-builders	2	Masons	1
Bankers	7	Members of Congress	1
Butter-dealers	1	Newsboys	100
Bacon-cutters	2	Meteorologists	1
Brass-finishers	1	Miners	1
Carpenters	356	News-agents	1
Clerks	505	Nurses	7
Cigar-makers	25	Occupation unknown	270
Confectioners	13	Oystermen	6
Contractors	58	Old soldiers	19
Coach-makers	15	Peddlers	49
Cabinet-makers	16	Printers	185
Cartmen	18	Physicians	46
Constables	18	Plasterers	123
Coopers	11	Prostitutes	457
Clock-makers	2	Pressmen	2
Chimney-sweeps	1	Painters	262
Car-drivers	8	Pavers	23
Coachmen	12	Poundmen	2
Calkers	1	Pawnbrokers	2
Cooks	34	Police-officers	14
Conductors	8	Preachers	9
Commercial brokers	10	Plumbers	93
Cart-drivers	15	Photographers	13
Cattle-brokers	2	Porters	50
Cutters	1	Paper-hangers	7
Carvers	1	Policy-dealers	4
Capitol Police	1	Produce-dealers	11
Curriers	5	Patent-agents	2
Chiropodists	1	Phonographers	3
Dress-makers	3	Restaurant-keepers	71
Dentists	9	Rag-pickers	7
Dairymen	21	Rope-makers	1
Drovers	14	Riggers	4
Doorkeepers	5	Reporters	31
Dyers	5	Real-estate agents	4
Druggists	13	Railroad-men	1
Drivers	85	Roofers	1
Draughtsmen	2	Soldiers	260
Editors	9	Servants	788
Engineers	28	Shoemakers	153
Engravers	6	Slaters	5
Fishermen	16	Stone-cutters	108
Farmers	137	Schoolmasters	12
Firemen	4	Sailors	164
Fish-dealers	2	Saddlers	8
Fruit-dealers	3	Students	411
Foreman	1	Shoe-blacks	100
Feed-dealers	3	Spinners	1
Grocers	113	Sextons	1
Gardeners	37	Seamstresses	9
Gamblers	5	Stewards	3
Galley-makers	1	Storekeepers	59
Glass-blowers	1	Saw-makers	1
Gas-fitters	2	Ship-carpenters	3
Hackmen	110	Spinsters	1
Hatters	12	Steam-fitters	1
Hotel-keepers	22	Stone-masons	1
Hucksters	193	Silversmiths	2

No. 9.—*Table showing trades and callings of persons arrested*—Continued.

Occupation.	Number.	Occupation.	Number.
Superintendents	1	Tinkers	1
Sculptors	1	Upholsterers	14
Showmen	4	Undertakers	7
Tailors	52	Vagrants	67
Teamsters	78	Washerwomen	18
Tinners	57	Wheelwrights	7
Tobacconists	4	Watchmen	35
Telegraphists	4	Whitewashers	3
Tanners	1	Waiters	85
Thieves	542		
Turners	2	Total	12,983

RECAPITULATION.

The following is a recapitulation of the work done by the police force during the year ending September 30, 1877, a more extended exhibit of which will be gathered from the foregoing tables.

The whole number of arrests during the year has been 12,983, of which 11,027 were males, 1,956 females; 4,918 were married, 8,065 were single; 8,707 could read and write, 4,276 could not read and write.

The offenses may be classified as follows: Offenses against the person, 7,271 males, 1,485 females; offenses against property, 3,756 males, 471 females.

Of the cases reported the following disposition has been made: 4,450 were dismissed; 6 were turned over to the military; 1,267 were sent to jail; 1,375 have been committed to the workhouse; 334 gave security to keep the peace; 95 were sent to the reform school; 210 gave bail for court; 107 not disposed of; and in 1,670 cases various light punishments have been inflicted, and they have been classed under the head of miscellaneous.

Fines have been imposed in 3,469 cases, amounting in all to	$33,223
In District of Columbia cases paid	13,207
In United States cases paid	6,355
In District of Columbia cases appealed	10,171
In United States cases appealed	3,490

INCIDENTAL DUTIES.

The number of destitute persons furnished with lodgings during the year has been	14,208
Lost children restored to parents	195
Sick or disabled persons assisted or taken to hospitals	997
Horses, cattle, and vehicles found astray and restored to owners	258
Doors found open and secured by the police	165
Fires occurring in the District	173
Inquests attended	38
Accidents reported	52
Dead and abandoned infants found	74
Persons found dead	5

METROPOLITAN POLICE D. C.,
OFFICE OF PROPERTY CLERK,
Washington, October 26, 1877.

SIR: By request, I have the honor to present herewith, for the information of the board of police, the property operations of the police department during the year ending September 30th ultimo, with tabulated statements compiled from official reports to this office.

Property and money of the estimated value of $30,407.59 were received and duly recorded upon the office-register. Of this sum $5,733.28 was returned by the officers in charge of the precinct-stations and sanitary company, and $24,674.31 by those representing the detective corps.

There was delivered to claimants, pursuant to judicial action and evidences of ownership during the same time, property valued at $28,876.76. Of this, $4,634.81 was returned from precinct-stations and the sanitary office, and $24,241.95 from that of the detective corps. Details of these statements are represented by the accompanying table marked "A." From the weekly returns of property coming into the custody of members of the Metropolitan police force other than that embraced in said table marked "A," is compiled the tabulated statement marked "B," also herewith, by which it will be seen the aggregate sum of $92,069.20 was otherwise disposed of.

A sale made on the 29th day of June last of abandoned and unclaimed property netted $110.71, which, with the proceeds of the sales of perishable property and animals during the calendar year 1876, amounting to $17.22, made the sum of $127.93, which was receipted for by the treasurer of the board under date of July 17, 1877, for use of the "policemen's fund."

Very respectfully submitted.

GEO. R. HERRICK,
Property Clerk.

A. T. BRITTON, Esq.,
President Board of Police.

A.—*Table showing by months the estimated value of property and money received at the office of the property clerk and delivered therefrom during the year ending September* 30, 1877.

RECEIVED.		DELIVERED.	
Month.	Value.	Month.	Value.
October, 1876	$601 00	October, 1876	$1,265 97
November, 1876	1,256 92	November, 1876	947 50
December, 1876	309 06	December, 1876	907 76
January, 1877	1,925 60	January, 1877	751 25
February, 1877	489 17	February, 1877	318 00
March, 1877	705 92	March, 1877	770 82
April, 1877	623 90	April, 1877	1,037 65
May, 1877	522 52	May, 1877	240 25
June, 1877	383 20	June, 1877	581 50
July, 1877	730 81	July, 1877	483 80
August, 1877	21,426 27	August, 1877	20,790 01
September, 1877	1,433 22	September, 1877	782 25
Total	30,407 59	Total	28,876 26

B.—*Statement in detail, by months, compiled from the weekly report to the property clerk of property and money taken into the possession of the Metropolitan police force of the District of Columbia and delivered to others than that officer during the year ending September* 30, 1877.

Months.	Precincts.								Detective corps.	Sanitary company.	Total amount.
	First.	Second.	Third.	Fourth.	Fifth.	Sixth.	Seventh.	Eighth.			
October, 1876	$1,047 55	$142 61	$618 70	$848 19	$1,652 04	$899 58	$2,019 25	$572 23	$1,259 76	.....	$9,359 91
November, 1876	535 45	1,342 60	280 54	715 95	917 59	579 75	2,860 40	166 42	1,467 50	.....	8,666 20
December, 1876	787 28	207 45	372 25	1,067 51	2,227 61	574 92	1,025 06	367 33	1,302 50	.....	7,981 91
January, 1877	508 62	1,307 33	772 44	857 20	2,532 11	627 46	887 54	1,140 41	1,794 13	.....	10,427 24
February, 1877	674 31	898 08	321 75	560 52	839 13	1,117 25	364 87	130 66	1,780 00	$140 48	6,827 05
March, 1877	252 13	923 34	92 94	332 56	1,314 88	596 62	1,056 07	484 02	1,696 43	41 80	6,790 79
April, 1877	337 13	1,295 86	816 80	936 22	610 71	68 77	728 35	1,895 78	499 34	.....	7,238 96
May, 1877	744 34	661 58	234 70	21 80	667 25	611 97	899 57	128 45	288 96	.....	4,258 62
June, 1877	939 89	924 78	437 14	541 26	2,104 17	641 30	1,346 49	735 10	76 86	.....	7,746 99
July, 1877	530 46	928 85	790 75	1,176 34	5,087 48	290 27	1,839 44	428 00	45 60	.....	11,117 19
August, 1877	324 63	558 76	712 96	833 37	3,074 30	124 76	488 13	341 51	95 29	8 00	6,561 71
September, 1877	428 86	580 06	342 42	154 31	1,933 82	317 91	419 67	630 61	80 00	4 97	4,892 63
Total	7,110 55	10,071 30	5,793 39	8,095 23	23,011 09	6,450 56	13,934 84	7,020 52	10,386 37	195 25	92,069 20

EXHIBIT K.—*Report of the president of the board of trustees of the reform school.*

REFORM SCHOOL OF THE DISTRICT OF COLUMBIA,
October 2, 1877.

SIR: Our esteemed associate, Mr. John Bailey, within the year and greatly to our regret, having retired from the position of president of the board of trustees, as we hope only temporarily, I have the honor to present our eighth annual report for the fiscal year ended 30th June, 1877.

The results of the year's labors are quite satisfactory, notwithstanding we are hampered by want of proper family buildings and other requisites necessary to enable us to properly advance the boys, as proposed by the plan under which we are working. The moral tone of the school has been well maintained. Its discipline is not harsh, but is firm, tempered with gentleness, and is unvarying. Many of the boys over whom we act under the law in the capacity of parents and guardians have been removed from an ignorant and often vicious atmosphere, neglected by one or both parents. We provide them with the comforts and benefits of home, to which they have been strangers, surround them with refined influences, devote their week-days to study, work, and recreation, each in its proper time, and their Sundays to suitable duties and rest, being well assured that under these favorable circumstances they will develop into good and useful citizens.

We conduct the school upon what is known as the "family" plan, as nearly as possible to that adopted at Mettray, in France, and at Lancaster, Ohio, so eminently successful, and like them we dispense with bolts, bars, and high walls.

The health of the school has been good during the current year, and no death has occurred within that time.

There are now 158 boys in the school.

WORK ON THE FARM.

The results of the work on the farm are satisfactory. We are giving the boys employment as much as possible upon the farm, which educates them to be self-sustaining, so that when their connection with the school ends they may not be compelled to resort to the cities for their support, but will be able to rely upon their knowledge of agriculture, horticulture, and so forth, for their future prosperity.

The ground and approaches to the school have been handsomely improved, and are now quite pleasing and attractive, made so almost entirely by the labor of the boys. In this connection, in behalf of the board, and as directed by them, I beg to thank Mr. Edward Clark, the Architect of the Capitol, who designed our present buildings, and under whom they were completed, for his continued interest in the school, and for his suggestions and advice, which have been so freely and promptly given from time to time.

NEEDS OF THE SCHOOL.

I would particularly invite your attention to the needs of the institution, and earnestly ask your aid in procuring from Congress the necessary appropriations therefor.

The following estimate, prepared with the aid of the board of trustees, I beg respectfully to submit:

For the salaries of superintendent, assistant superintendents, matron, teachers, gardener, farmer, baker, night-watchman, seamstress, cook, laundress, and four female servants, for the treasurer and secretary of the board of trustees, and for fuel, clothing, and incidentals	$12,000
For erection of a building for workshops and the purchase of necessary machinery	11,000
For erection of two family buildings	24,000
For purchase of the remainder of the Peters farm	8,000
For erection of a new barn and outbuildings and necessary fences	9,000
For annual repairs	1,000
Total	65,000

To fully comply with the requirements of the school, we have asked for $2,000 on account of salaries and incidental expenses beyond what has been appropriated for several years by Congress, $10,000 being the amount heretofore given. This will enable the board to employ two more teachers, so as to give fifty boys to each family, and to pay to the treasurer and the secretary of the board salaries definitely fixed by law.

The additional teachers asked for are greatly needed, and the good which will be derived from the expenditure of a few hundred dollars for this purpose cannot be too highly estimated. The duties of the treasurer and secretary of the board involve quite an amount of labor. The former officer has much responsibility, and, as required by law, is held under a bond of $20,000 to the United States for the strict performance of the duties of his office, and it is but simple justice that he should be compensated.

Workshop building.—We are now using space in the main building, which is required for other purposes, in which the boys make their shoes, their clothing, and manufacture chair-bottoms and brooms.

We wish to extend this department to other mechanical branches. We are sending boys into the community for good or for evil, and it is absolutely necessary that we have facilities for teaching them useful and profitable pursuits, so that they may not again sink into their first condition from inability to earn their living.

Family buildings.—We require two more family buildings, to enable us to accommodate those who are now occupying the main building, which we desire to devote, as was originally intended, to schools, reading and recitation rooms, dining-rooms, and to other necessary and useful purposes. These two buildings will enable us to take more boys into the school, many of whom, by reason of our inability to accommodate them, are now being sent to prison, and thus educated into criminals. We sadly need a library and reading-room, with such books and reading-matter as will be recreation and instruction to the boys.

More land.—We desire to purchase the remainder of the Peters farm, only about one-half of which is now included in the reform-school farm. This land adjoins the school-land on the east, running to the Eastern Branch, and contains one hundred and seventeen acres. It will be to the interest of the government as well as of very great advantage to the school if we can purchase it. The crops raised on it will greatly assist the school, and, what is more important, give proper and beneficial employment to a large number of boys.

The necessity for this land has been so apparent, that we have leased it for three years, with the privilege of purchasing it within one year for $8,000; and we trust that sum will be given us by Congress for this purpose.

New barn and fencing.—The old barn is greatly out of repair. We

require a new one of modern shape, so that proper protection can be given to the crops and the stock sheltered during inclement weather.

We have not been able to devote any money for fencing. We sadly need it, and trust that the appropriations asked for that purpose will be granted.

REPORTS SUBMITTED.

Of the superintendent.—I have much pleasure in referring to the report of the superintendent, transmitted herewith, containing, as it does, information in detail of the workings of the school and suggestions of great importance which meet the approval of the board.

Of the treasurer.—The aggregate receipts for the year amount to $29,723.58, of which only $10,000 was from Congress. The school received $1,908.27 on account of its shop and farm productions, and the remainder, $17,815.31, came from the district of Columbia in payment for the support of boys. This amount, as will be seen by the report of the treasurer herewith, has all been expended. His disbursements have been made and are made on vouchers approved by the proper committees of the board of trustees, and these vouchers have all been submitted to the accounting-officers of the Treasury Department and approved.

IN CONCLUSION.

Of the superintendent, matron, and teachers of the school we are gratified again to speak in terms of commendation. To a life of unremitting care each is devoted, and all have performed their duties with zeal, fidelity, and intelligence.

In the reports of former years will be found in detail the hopes and aims of this institution. I can only add that, acting in the responsible relation we bear to these boys, and ultimately to the community, we dare not hesitate in asking for whatever in our judgment is necessary for all the interests involved. Thus it becomes our duty as guardians of this grave public trust to freely present these pressing wants, which have now become indispensable to the full success of our work.

Feeling assured of your personal interest and co-operation in everything which tends to the welfare and prosperity of this institution, placed as it is by law under your care and guardianship, and in behalf of the board of trustees earnestly trusting that the recommendations and requests herein made will meet your approval,

I have the honor to be, very respectfully, your obedient servant,

N. W. BURCHELL,
President oft he Board of Trustees.

Hon. CHARLES DEVENS,
Attorney-General of the United States.

REFORM SCHOOL OF THE DISTRICT OF COLUMBIA,
September 25, 1877.

GENTLEMEN: With this I send you a statement of my receipts and disbursements as treasurer of your board during the fiscal year ended the 30th June, 1877.

The vouchers for these disbursements have, in compliance with law, been transmitted to the accounting-officers of the Treasury Department and all been approved, as per letter received this day.

As appears by the statement, no funds remained in my hands at the close of the year to the credit of the school.

Very respectfully and truly,

SAMUEL W. CURRIDEN, *Treasurer.*

To the BOARD OF TRUSTEES.

RECEIPTS.

Appropriation by Congress for salaries and current expenses	$10,000 00
District of Columbia, for support of boys therefrom	17,815 31
Magne & Chipman, Baltimore, chair-work	1,437 20
F. W. Howe, superintendent, receipts from sundry sources	471 07
Total	29,723 58

DISBURSEMENTS.

1876.		
July 13.—William M. Galt & Co., flour		$209 42
	Thomas H. Joy, beef	148 70
	Meixsell & Co., broom-corn	44 30
	H. L. Carlton, horse-feed	63 75
	Robert Ball, shoes	12 75
	William G. Wheatley, repairing shoes	33 15
	F. W. Howe, superintendent, freight, &c	46 17
	F. W. Howe, superintendent, freight, &c	46 54
	Henry Lee's sons, coffin	30 00
	B. W. Reed's sons, groceries	266 68
	Hall & Hume, groceries	272 21
	William R. Riley, dry-goods	103 00
	L. H. Schneider, hardware	31 99
	A. Barnes, potatoes, &c	30 59
Aug. 4.—John A. Baker, farm-tools, &c		200 64
	Hall and Hume, groceries	214 81
	William R. Riley, dry-goods	120 42
	Wheatley Brothers, lumber	39 20
	William M. Galt & Co., flour	217 50
	Lauxman & Long, blacksmithing	20 27
	W. B. Williams, furniture	117 12
	Thomas H. Joy, beef	146 70
	Andrew J. Joyce, repairing carriage	61 50
	Webb & Beveridge, crockery, &c	44 38
	F. W. Howe, superintendent, sundries	41 63
	Petty & Harvey, hats	21 00
	Thomas Geary, hack-hire	20 00
	B. W. Reed's Sons, groceries	160 72
Aug. 12.—C. Jarrett, laying brick		50 00
Aug. 18.—Pay-roll for July		602 50
Aug. 24.—W. M. Galt & Co., flour		217 50
	B. W. Reed's Sons, groceries	170 12
Aug. 25.—F. W. Howe, superintendent, sundries		55 19
	Pay-roll for August	535 00
Aug. 30.—Goodwin Y. Atlee, coal		2,001 00
Sept. 1.—Lauxman & Long, blacksmithing		26 60
	Lauxman & Long, blacksmithing	25 82
	W. D. Wyvill, hardware	37 15
	Thomas H. Joy, beef	138 00
	William R. Riley, dry-goods	504 70
	William Ballantyne, stationery	25 08
	H. L. Carlton, meal, &c	101 50
	Hall & Hume, groceries	299 85
Sept. 21.—Robert Ball, shoes		200 00
Sept. 30.—Pay-roll for September		597 50
Oct. 4.—Gray & Noyes, repairing boiler, &c		38 58
	Washington Gas-Light Company, gas	397 00
	William R. Riley, dry-goods	95 20
	William R. Riley, dry-goods	103 99
Oct. 6.—Washington Brick-Machine Company, bricks		236 75
	Edwards & Nesmith, plumbing	29 75
	Cottrell Brothers, lumber	100 49
	Potomac Terra-Cotta Company, pipe	35 48
	Columbia Railroad Company, manure	214 96
	F. W. Howe, superintendent, sundries	64 57
Nov. 1.—Pay-roll for October		660 00
Nov. 8.—Charles A. Wells, M. D., services		32 00
	Petty & Harvey, hats	21 00
Nov. 9.—D. C. Mosher, needle-machine, &c		49 95

1876.			
Nov.	9.—Charles Stott & Co., oils, &c	13	15
	Robert Ball, shoes	198	80
	Kaspar Kneesi, harness-repairs, &c	30	00
	F. P. Sieben, repairing shoes	12	50
	William M. Galt & Co., flour	181	00
	Hall & Hume, groceries	193	85
	A. Nailor, jr., carriage-hire for trustees	75	00
	H. L. Carlton, breadstuff, &c	59	50
	Lauxman & Long, blacksmithing	65	08
	Thomas H. Joy, beef	164	10
	B. W. Reed's Sons, groceries	112	46
	Edgar Z. Stoever, plumbing	19	85
	Petty & Harvey, hats	72	00
	George King, shoe-findings	25	74
	F. W. Howe, superintendent, sundry expenses	45	55
Nov.	25.—Thomas Betts, cobble-stone	34	20
Nov.	29.—Pay-roll for November	597	50
Dec.	2.—Lewis Baar, machine-oil, &c	12	50
	Meixsell & Co., broom-corn	144	28
	Webb & Beveridge, crockery, &c	38	95
	B. W. Reed's Sons, groceries	68	03
	Thomas H. Joy, beef	136	20
	William M. Galt & Co., flour	189	00
	William R. Riley, dry-goods	73	95
	Hall & Hume, groceries	332	10
	Hall & Hume, groceries	194	57
	L. H. Schneider, hardware	17	77
	W. D. Wyvill, hardware, &c	23	00
	William Ballantyne, stationery	16	10
	B. W. Reed's Sons, groceries	98	48
	F. P. Seiben, repairing shoes	25	00
Dec.	12.—Ottawan, Cahvey & Co., Baltimore, coffee	73	53
Dec.	16.—F. W. Howe, superintendent, printing	13	25
	Lauxman & Long, blacksmithing	29	28
	Hall & Hume, groceries	205	18
	John A. Baker, lime, cement, &c	84	28
	William M. Galt & Co., flour	184	25
	William R. Riley, dry-goods	149	32
	F. W. Howe, superintendent, sundries	48	13
	Pay-roll for December	597	50
1877.			
Jan.	6.—William R. Riley, dry-goods	152	84
	Thomas H. Joy, beef	135	40
	Thomas H. Joy, beef	111	20
	William M. Galt & Co., flour	203	00
	E. Z. Stoever, plumbing	12	10
	Charles A. Wells, M. D., services	36	00
	F. W. Howe, superintendent, sundries	36	79
	Hall & Hume, groceries	144	13
	Wiswall & Gwynn, bed-clothing	25	00
	H. L. Carlton, feed, &c	79	00
	B. W. Reed's Sons, groceries	140	26
	George Ryneal, jr., glass, &c	89	67
	Washington Gas-Light Company, gas	145	75
	Webb & Beveridge, crockery	23	15
	F. M. Buckingham, Christmas candy	18	31
	F. P. Sieben, repairing shoes	25	00
	Meixsell & Co., butter, &c	109	78
Jan.	23.—Potomac Terra-Cotta Company, pipe	9	38
	George S. King, leather, &c	27	29
Feb.	1.—Pay-roll for January	588	50
Feb.	3.—Hall & Hume, groceries	170	64
	William H. Hoover, beef	102	50
	C. B. Jewell, soap	59	68
	William Orme & Sons, flour	21	00
	B. W. Reed's Sons, groceries	36	16
	L. H. Schneider, hardware	12	88
	John A. Baker, hardware, &c	38	23
	William R. Riley, dry-goods	114	07
	William Ballantyne, stationery	8	15

1877.			
Feb.	3.—William M. Galt & Co., flour	220	00
	H. L. Carlton, horse-feed	39	00
	Lauxman & Long, blacksmithing	25	77
	F. W. Howe, superintendent, sundries	59	29
	Gray & Noyes, repairing boiler	20	30
Feb.	5.—George King, leather	19	43
Feb.	26.—Pay-roll for February	600	50
	F. P. Sieben, repairing shoes	25	00
March	2.—William M. Galt & Co., flour	228	75
	F. W. Howe, superintendent, freight, &c	42	84
	Robert Ball, shoes	6	55
	Stott & Cromwell, medicines	19	25
	George King, leather	16	01
	William M. Galt & Co., flour	247	00
	Charles A. Wells, M. D., services	71	00
	Lauxman & Long, blacksmithing	7	45
	B. W. Reed's Sons, groceries	134	35
	Charles O. Lewis, M. D., services	10	00
	Hall & Hume, groceries	127	46
	Lauxman & Long, blacksmithing	18	20
	Hamilton & Pearson, plumbing	11	30
	Lewis Baar, needles, &c	2	05
	John A. Baker, seeds, &c	43	41
	Charles G. Ball, iron castings	7	20
	Webb & Beveridge, crockery	22	05
	William R. Riley, dry-goods	257	56
	Meixsell & Co., butter	76	15
	William H. Hoover, beef	106	74
March	29.—Pay-roll for March	600	50
	F. P. Sieben, repairing shoes	25	00
	F. P. Sieben, repairing shoes	25	00
	Thomas H. Joy, beef	140	10
	K. Kneessi, repairing harness, &c	32	50
	William R. Riley, dry-goods	201	25
	William Ballantyne, school-books	23	68
	R. Cohen, dry-goods	8	00
April	3.—Meixsell & Co., butter	74	42
	Bureau of Engraving and Printing, printing checks	10	50
	Gibson Brothers, printing letter-heads, &c	11	75
April	5.—Webb & Beveridge, crockery, &c	19	10
	L. H. Schneider, hardware	9	69
	Washington Gas-Light Company, gas	177	75
	Washington Gas-Light Company, pipe, lanterns, &c	153	05
	John A. Baker, farm implements, &c	94	35
	Hall & Hume, groceries	115	35
	George King, leather	22	13
	H. L. Carlton, horse-feed	42	50
	William R. Riley, dry goods	104	27
	William R. Riley, dry goods	56	14
	Kaspar Kneessi, repairing harness, &c	5	25
	Stott & Cromwell, medicines	18	84
	William Ballantyne, books	9	84
	William M. Galt & Co., flour	235	00
	F. W. Howe, superintendent, sundries	40	58
	E. Z. Stoever, plumbing	22	40
	B. W. Reed's Sons, groceries	68	54
	H. L. Carlton, meal, &c	42	50
	William H. Hoover, beef	148	26
	Lauxman & Long, blacksmithing	22	73
	Paul Hiser, flower-pots, &c	14	00
April	13.—John Saul, trees	38	75
April	21.—Dr. W. E. Clever, veterinary services	6	50
April	27.—Pay-roll for April	591	00
May	1.—W. B. Moses, oil-cloth	27	84
	John A. Baker, farm tools, &c	36	57
	Wheatley Bros., lumber	60	26
	William H. Hoover, beef	116	27
	Barbour & Hamilton, groceries	228	63
	A. E. Phillips, butter, &c	25	55
	William R. Riley, dry goods	183	66

1877.			
May.	1.—Webb & Beveridge, table-ware		9 00
	Lauxman & Long, blacksmithing		20 55
	George King, leather, &c		28 20
	William Ballantyne, stationery		46 25
	L. H. Schneider, hardware		6 52
	Hall & Hume, groceries		84 19
	Washington Gas-Light Company, gas		42 75
	F. W. Howe, superintendent, sundries		49 04
	C. A. Denekas, yeast		13 65
	F. P. Sieben, repairing shoes		25 00
May	2.—Columbia Railroad Company, manure		319 92
	W. M. Galt & Co., flour		148 25
May	28.—F. P. Seiben, repairing shoes, May		25 00
	Pay-roll for May		600 00
June	1.—William Ballantyne, books, &c		7 00
	John M. Young, repairing wagons, &c		46 50
	A. E. Phillips, butter, &c		39 31
	Petty & Harvey, hats		72 00
	Barbour & Hamilton, groceries		294 05
	George King, leather		16 26
	W. D. Wyvill, table-ware, &c		11 65
	William M. Galt & Co., flour		153 75
	Charles A. Wells, M. D., services		14 00
	Lauxman & Long, blacksmithing		13 60
	William H. Hoover, beef		144 09
	H. L. Carlton, horse-feed		97 61
	William R. Riley, dry goods		75 97
	John A. Baker, farm tools, &c		71 71
	L. H. Schneider, hardware		8 81
	Hall & Hume, groceries		135 09
	Webb & Beveridge, table-ware, &c		13 00
	Washington Gas-Light Company, gas		36 00
	F. W. Howe, superintendent, sundries		38 17
June	26.—S. W. Curriden, services as disbursing clerk and treasurer		500 00
June	1.—C. A. Denekas, yeast		4 55
June	26.—F. P. Sieben, repairing shoes, June		25 00
	Pay-roll for June		600 50
June	29.—William B. Peddrick's services as secretary		100 00
June	30.—F. W. Howe, superintendent, sundries		54 50
	C. A. Denekas, yeast		9 10
	William Beckett, ice		6 46
	Charles A. Wells, M. D., services		8 00
	Kaspar Kneessi, repairing harness, &c		7 25
	Gray & Noyes, grates		12 25
	Potomac Terra Cotta Co., pipe		2 70
	William R. Riley, dry goods		80 56
	H. L. Carlton, horse-feed		68 75
	William M. Galt & Co., flour		268 25
	George Breitbarth, bedsteads		100 00
	W. D. Wyvill, wash-tubs		5 30
	A. Nailor, jr., carriages for trustees		64 00
	Lauxman & Long, blacksmithing		25 17
	Robert Cohen, leather laces		3 75
	Webb & Beveridge, table ware, &c		14 35
	Frank I. Seman, leather		71 57
	Washington Gas-light Company, gas		27 00
	L. H. Schneider, hardware		5 85
	Hall & Hume, groceries		158 45
	Barbour & Hamilton, groceries		294 03
	John A. Baker, mowing-machine, tools, &c		160 13
	Stott & Cromwell, drugs		10 55
	Hall & Hume, groceries		33 49
	Thomas Geary, carriages for trustees		15 00
	Thomas H. Joy, beef		133 56
	George Ryneal, jr., oil, &c		9 75
	John Saul, seeds		18 60
	Total disbursements		29,723 58

EXHIBIT L.—*Report on improvements of the court-house.*

ARCHITECT'S OFFICE, UNITED STATES CAPITOL,
Washington, D. C., November 16, 1877.

SIR: I have the honor to submit the following relative to the improvement and repairs made at the court-house in this city during the past fiscal year.

Owing to leaks in the roof, caused in a measure by the injudicious use of iron shovels in clearing ice from the gutters, the ceilings of the court-rooms became much damaged. These have been repaired, and the ceiling of the criminal court repaired.

By direction of Chief Justice Cartter new sash were put in all the windows of court-rooms, on a plan devised by him, which arrangement will greatly improve the ventilation of those rooms.

The rooms occupied by the register of deeds have been painted and papered, and an additional room fitted up and assigned to accommodate the records and increased work of that officer.

The entire building has been kept in good repair. I renew my recommendation for heating the court-rooms and corridors with a steam apparatus. At present the former is heated with ordinary hot-air furnaces, and the latter are not heated at all.

The sum of one thousand ($1,000) dollars will be required for the casual repairs of this building during the next fiscal year.

Yours, respectfully,

EDWARD CLARK,
Architect United States Capitol.

Hon. CHARLES DEVENS,
Attorney-General.

EXHIBIT M.—*Statement showing the number of assistants to the United States attorneys, their employment, and compensation.*

District.	Name.	Employment.	Compensation.	Remarks.
Alabama, northern district...	L. W. Day	Regular assistant	$1,500 per annum	From July 1, 1877, paid $1,000.
Do	L. E. Parsons	Special assistant, violations of enforcement act	$1,000 paid	Appointment terminated June 21, 1877.
Alabama, southern district...	J. H. Wallace	Regular assistant	$1,500 per annum	
Do	L. E. Parsons	Special assistant, counterfeiters	$2,000 paid	Appointment terminated June 21, 1877.
Alabama, middle district	George H. Patrick	Regular assistant	$900 per annum	Resigned June 13, 1877.
Do	N. S. McAfee	Special assistant, case *vs.* W. N. Storall	$250 paid	
Alabama, northern and middle districts.	E. M. Kiels	Special assistant, prosecution of J. W. Comer *et al*		
Do	J. S. Clarke	Special assistant, prosecution of counterfeiters		
Arkansas, eastern district	P. C. Dooley	Special assistant, November term, 1876	$1,280 paid	
Do	Thomas D. N. Yonley	Special assistant, United States against Merchants' National Bank, Little Rock, Ark.		
Arkansas, western district	James Brizzolara	Regular assistant	$2,000 per annum	Resigned April 1, 1877.
Do	Thomas H. Barnes	do	$2,000 per annum	Resigned July 24, 1877.
California	A. P. Van Duzer	do	$2,000 per annum	
Do	Philip Teare	do	$3,500 per annum	From July 1, 1877, $2,500 per annum.
Do	L. D. Latimer	Special assistant, light-house suits		
Do	John W. Dwinelle	Special assistant, internal-revenue cases	Acct. for $3,641.94 approved.	Discontinued March 1, 1877.
Do	John B. Howard	Special assistant, to act in certain cases		
Connecticut	William C. Strobridge	Regular assistant	$1,000 per annum	
Columbia, District of	William Birney	Special assistant, case of Miller *vs.* Late Corporation of Washington.		
Do	J. M. Wilson	Special assistant, Treasury robbery	$2,000 paid	
Do	do	Special assistant, Perry robbery		
Do	A. G. Riddle	Special assistant, case of Gen. O. E. Babcock	$1,000 paid	
Do	Charles S. Whitman	Special assistant, interference case, Patent Office		
Do	R. S. Mussey	Special assistant, case *vs.* Don Piatt	$100 paid	
Colorado	E. P. Jacobson	Special assistant, Las Animas land cases		
Do	T. G. Putnam	Special assistant, Shaffenburg case	$500 paid	
Do	J. W. Jenkins	do	$500 paid	
Do	G. B. Reed	do	$500 paid	
Do	George G. Symes	Special assistant, Stanton, Cook & Moffatt	$1,000 paid	
Do	William H. Parker	Regular assistant	$2,000 per annum	
Delaware	John C. Patterson	Special assistant, suit against J. M. Lewis, late posmaster		
Do	Nathaniel B. Smithers	Special assistant, cases growing out of late elections		
Florida, northern district	W. G. M. Davis	Special assistant, suits against Jenkins and sureties		
Georgia	George S. Thomas	Regular assistant	$2,000 per annum	From July 1, 1877, $1,800 per annum.
Do	A. T. Akerman	Special assistant, defending soldiers	$1,000	Paid.
Do	O. A. Lochrane	Special assistant, Andersonville Cemetery	$500	Paid.
Georgia, southern district	Andrew Sloan	Regular assistant		From July 1, 1877, $1,200 per annum.
Illinois, northern district	John E. Burke	do	$3,000 per annum	

EXHIBIT M.—*Statement showing the number of assistants to the United States attorneys, &c.*—Continued.

District.	Name.	Employment.	Compensation.	Remarks.
Illinois, northern district	James St. Clair Boal	Regular assistant	$2,250 per annum	$2,500 January 5, 1877; $2,200 July 1, 1877.
Do	Robert O'Hara	do	$600 per annum	Resigned August 31, 1877.
Do	Henry W. Thompson	do	$2,200 per annum	
Do	Jesse A. Baldwin	do	$600 per annum	Vice O'Hara resigned.
Illinois, southern district	Emery A. Storrs	Special assistant, United States *vs.* Jacob Rehm		
Do	E. T. Roe	Regular assistant	$1,500 per annum	
Indiana	Charles L. Holstein	do	$2,000 per annum	
Iowa	Lee R. Seaton	do	$2,500 per annum	Reduced April 2, 1877, $1,250. From July 1, 1877, to August 31, 1877, at $800 per annum. Resigned September 1, 1877.
Iowa, central and western divisions.	G. L. Godfrey	do	$1,250 per annum	From July 1, 1877, $800 per annum.
Iowa	W. T. Rankin	do	$800 per annum	
Kansas	Thomas Ryan	do	$1,500 per annum	Resigned February 28, 1877.
Do	Alfred L. Redden	do	$1,000 per annum	
Do	Lewis Hanback	do	$1,000 per annum	
Kentucky	William A. Bullitt	do	$2,500 per annum	
Louisiana	J. W. Gurley	do	$2,500 per annum	
Do	James Emmott	Special assistant, cases against military officers	$2,500 paid	
Maryland	A. M. Rogers	Regular assistant	$2,000 per annum	From July 1, 1877, $1,500 per annum.
Massachusetts	Prentiss Cummings	do	$3,500 per annum	From July 1, 1877, $3,300 per annum.
Do	William A. Hayes, jr	do	$2,500 per annum	Resigned June 30, 1877.
Do	George S. Frost	do	$1,500 per annum	Resigned January 24, 1877.
Do	George P. Sanger, jr	do	$1,200 per annum	
Do	R. R. Bishop	Special assistant, Brady *vs.* The Atlantic Works		
Do	G. A. Somerby	Special assistant, Oakes Ames's estate		
Do	E. S. Mansfield	do do		
Do	E. R. Hoar	Special assistant, case of Jordan, Marsh *et al*		
Michigan, eastern district	J. W. Finney	Regular assistant	$2,500 per annum	
Do	Henry H. Swan	do	$2,000 per annum	
Michigan, western district	William D. Fuller	do	Fees	
Do	Robert M. Montgomery	do	do	
Minnesota	J. J. Eagan	Special assistant, to collect old judgments	20 per cent. of all collected.	
Do	Robert G. Terry	Special assistant, defense of Lieutenant Carland		
Do	James Smith	Special assistant, postal cases, Terry and Kelly		
Mississippi, northern district	B. W. Lee	Regular assistant	$2,000 per annum	
Mississippi, southern district	Harvey B. Ware	do	$2,000 per annum	From July 1, 1877, $1,600 per annum.
Missouri, eastern district	Charles G. B. Drummond	do	$2,500 per annum	
Do	H. G. Dennison	do	$1,800 per annum	From July 1, 1877, $1,700 per annum.
Do	Benjamin Emmons	do	$2,500 per annum	
Do	John C. Richardson	do	$1,800 per annum	Resigned January 13, 1877.
Do	John P. Ellis	do	$1,000 for 3 months	

Missouri, western district	M. T. C. Williams	do	$2,000 per annum	Discontinued October 1, 1877.
New Jersey	John J. King	do	$1,200 per annum	
Do	John F. Brooks	Special assistant, Lewis will case	$4 per day	
New York, northern district	John E. Pound	Regular assistant	$3,000 per annum	From July 1, 1877, $1,700.
Do	James A. Murray	do	$2,000 per annum	From July 1, 1877, $1,500.
New York, southern district	H. E. Tremain	do	$5,000 per annum	From July 1, 1877, $3,000 per annum. Resigned October 13, 1877.
Do	Roger M. Sherman	do	$3,000 per annum	Resigned February 3, 1877.
Do	do	do	$3,000 per annum	From Nov. 1, 1877, $3,250 per annum.
Do	Jacob J. Hoffman	do	$1,800 per annum	Resigned March 1, 1877.
Do	Benjamin B. Foster	do	$3,000 per annum	From Nov. 1, 1877, $3,250 per annum.
Do	F. W. Pullman	do	$1,500 per annum	Resigned June 16, 1877.
Do	William T. Sly	do	$2,000 per annum	Resigned February 1, 1877.
Do	George B. Morris	do	$800 per annum	Resigned June 16, 1877.
Do	Albert B. Herrick	do	$1,800 per annum	From Nov. 1, 1877, $2,500 per annum,
Do	J. D. Jones	do	$2,000 per annum	From July 1, 1877, $1,500; Nov. 1. 1877, $1,750 per annum.
Do	S. B. Clark	do	$1,500 per annum	
Do	R. M. Sherman	Special assistant, internal-revenue cases	$2,000 for 2 months	$1,500 paid in advance.
Do	George Bliss	Special assistant, silk fraud cases	$1,250 retainer on account.	
Do	S. B. Clark	Special assistant, Millbank *vs.* Benton		
Do	do	Special assistant, Heisers's Sons *vs.* Hatch, Foote *et al*		
Do	Sidney Webster	Special assistant, customs cases	$2,220.80 paid	
New York, eastern district	George W. Hoxie	Regular assistant	$2,500 per annum	From July 1, 1877, $1,500.
Do	Herbert G. Hull	do	$2,000 per annum	From July 1, 1877, $1,500,
North Carolina, eastern dist	William H. Young	do	$1,500 per annum	
North Carolina, western dist	William S. Ball	do	$1,500 per annum	
Nebraska	William H. Doolittle	do	$1,500 per annum	
Ohio, northern district	Henry S. Sherman	do	$2,000 per annum	Resigned May 11, 1877.
Do	Frank B. Swayne	do	$400 per annum	Resigned June 30, 1877.
Do	Ed. S. Meyer	do	From May 9, 1877, to 30, at $2,000 per annum.	July 1, 1877, $1,500.
Ohio, southern district	Channing Richards	do	$2,500 per annum	Resigned February —, 1877.
Do	Richard Dyer	do	$2,500 per annum	
Do	John M. McDonald	do	$2,000 per annum	
Do	Parker Dickson	Third regular assistant	$1,500 per annum	From July 1, 1877, $1,000 per annum.
Do	Alphonso Taft	Special assistant, Newport and Cincinnati Bridge Company *vs.* United States.	$500 paid on account.	
Do	Warner M. Bateman	do	$500 paid on account.	
Do	William Johnston	do		
Oregon	W. W. Upton	Special assistant, Hugh Waters *vs.* Capt. J. B. Campbell		
Pennsylvania, eastern district	Hood Gilpin	Regular assistant	$2,000 per annum	
Do	Henry P. Brown	do	$1,000 per annum	
Do	George L. Douglass	Special assistant, collection of old judgments	$35.90 paid on acc't	
Pennsylvania, western district	George C. Wilson	Regular assistant	$2,500 per annum	
Do	Joseph S. Cook	do	$1,200 per annum	
Do	David Derickson	Special assistant, title to land in Pennsylvania	Not to exceed $150	
South Carolina	William E. Earle	Regular assistant	$2,500 per annum	Resigned October 3, 1877.
Do	D. T. Corbin	Special assistant, Ellenton riots	$2,000 paid	
Tennessee, eastern district	A. H. Pettibone	Regular assistant	$2,000 per annum	

EXHIBIT M.—*Statement showing the number of assistants to the United States attorneys, &c.*—Continued.

District.	Name,	Employment.	Compensation.	Remarks.
Tennessee, middle district ...	D. W. Peabody	Regular assistant	$1,500 per annum	Resigned June 16, 1877.
Do	G. N. Tillman	....d	$1,500 per annum	
Tennessee, western district ..	John B. Clough	....do	$1,500 per annum	
Texas, eastern district	James R. Burns	....do	$1,200 per annum	
Vermont	James S. Peck	....do	$750 per annum	
Virginia, eastern district	Benjamin W. Hoxsey	....do	$2,000 per annum	
Do	John Ambler Smith	Special assistant, United States *vs.* Bennett & Smith; United States *vs.* W. Taylor *et al.*		
Do	M. D. Ball	Special assistant, United States *vs.* Ottman *et al.*		
Virginia, western district	D. S. Lewis	Regular assistant	$2,000 per annum	
West Virginia	George B. Caldwell	....do	$500 per annum	
Wisconsin, eastern district...	E. P. Smith	Special assistant, to litigate fraudulent conveyances	$300 paid	
Wisconsin, western district ..	Luther S. Dixon	Special assistant, Fox and Wisconsin River improvement		
Do	R. L. D. Potter	....do ....do	$6,000 paid	
Do	H. M. Lewis	Regular sssistant	$2,500 per annum	
Arizona Territory	Hugh Farley	....do		
Dakota Territory	H. B. Bennett	Special assistant, United States *vs.* Jos. D. May *et al*	Not exceeding $100	
Do	Mark W. Bailey	Regular assistant, first judicial district	Fees	
Do	John R. Gamble	....do	....do	
Utah	P. W. Denny	....do ....do	....do	
Do	Samuel H. Lewis	Regular assistant	$2,000 per annum	

EXHIBIT N.

To the Senate and House of Representatives of the United States of America in Congress assembled:

The law providing that in the district court of Utah Territory four terms shall be held annually; and also providing for two hundred jurors for each district court per annum, in this, the third district court of said Territory, I am now about to enter upon the third term for this year and my list of two hundred jurors is exhausted, and we can have no grand jury even this third term.

The fourth term of this year, which regularly should commence on the second Monday of November, will necessarily be without a jury, either grand or petit, as there is no law authorizing the drawing or getting of any more jurors this year. I have therefore drawn up a proposed amendment for Congress to consider our emergency, and hope it or some other will be passed so as to give us the needed relief.

The necessity of the first clause of the proposed amendment grows out of the fact that we are largely in the power of the probate judge, who may refuse or neglect to aid in furnishing a list of jurors, and who as a general thing is not friendly to the federal courts.

The second clause is introduced to relieve us in cases like that in which the third district now is. I can think of no better plan.

The third is made necessary to enable the court to do the large amount of business before it. This, the third district, is composed of nine large counties. Some of the jurors on the list live from one to two hundred miles from the place where the court meets. Frequently on entering upon the trial of a cause it is found that no jury can be had from the regular panel. We then have to resort to the box containing the list of jurors and draw therefrom, and send after the jurors thus drawn, which always works a delay, and, when the list is nearly exhausted, a very long delay. In this district are Salt Lake City, Ogden, Corinne, Sandy, Bingham, Park City, Stockton, and a large number of smaller cities and towns, besides a large number of mining districts, so that there are few courts, if any, in the United States in which there is as much business as in this. Hence the absolute necessity of having the necessary facilities and machinery by which the business can be speedily and efficiently done. I have thought over the matter and considered the difficulties, and now, as the result of my reflections and personal experience and observation, present the proposed amendment for your immediate consideration and action. However, I am not specially wedded to this amendment. If any other plan, which is equally or more feasible, can and will be adopted, I shall be pleased, and will for the time being act under it to the best of my ability.

Your most truly, &c.,

MICHAEL SCHAEFFER,
Chief Justice Supreme Court Utah, and Judge of the Second District Court, by assignment.

AN ACT to amend an act entitled "An act in relation to courts and judicial officers in the Territory of Utah," approved June 23, 1874.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four of an act entitled "An act in relation to courts and judicial officers in the Territory of Utah," approved June 23, 1874, be, and the same is hereby, amended by adding thereto the following, to wit: *Provided*, That if the said judge of probate or the said clerk, or either or both of them, shall at any time refuse, fail, or

neglect to furnish such list of jurors as above provided, or if at any time such list of jurors so furnished as aforesaid is or shall be exhausted, and another jury, juries, or jurors are required, in the judgment of the court or judge thereof, for the transaction of the business of any of the district courts in said Territory, or if in any case a jury, either in whole or part, cannot be speedily had from the regular panel at any term of such district court, the court or judge thereof may order an open venire to issue to the United States marshal for such Territory, commanding him to summon from the vicinage so many persons having the qualifications of jurors as may, in the opinion of such district court or the judge thereof, be necessary to appear before such district court and to serve as such jurors, either grand or petit, for such time as may be necessary for the transaction of the business then pending in such district court.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 8.

THE METRICAL SYSTEM.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Reports of chiefs of bureaus upon the adoption of the metrical system, in response to a resolution of the House of Representatives.

DECEMBER 7, 1877.—Referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

WAR DEPARTMENT,
Washington City, December 5, 1877.

The Secretary of War has the honor to transmit to the House of Representatives, in response to the resolution of the House of the 6th of November, 1877, reports from the chiefs of bureaus of the War Department, relative to the adoption of the metrical system of weights and measures for use in governmental transactions and between individuals.

GEO. W. McCRARY,
Secretary of War.

The SPEAKER *of the House of Representatives.*

FORTY-FIFTH CONGRESS, FIRST SESSION.

CONGRESS OF THE UNITED STATES,
In the House of Representatives, November 6, 1877.

On motion of Mr. Clark, of Missouri,

Resolved, That the heads of the executive departments of the government be, and they are hereby, requested to report to this House, at as early a date as practicable, what objections, if any, there are to making obligatory in all governmental transactions, the metrical system of weights and measures, whose use has been authorized in the United States by act of Congress, and also how long a preliminary notice should be given before such obligatory use can be introduced without detriment to the public service; and that they are also requested to state what objections there are, if any, to making the metrical system obliga-

tory in all transactions between individuals, and what is the earliest date that can be set for the obligatory use of the metrical system throughout the United States.

Attest:

GEO. M. ADAMS,
Clerk.

Report from the Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
Washington, November 10, 1877.

SIR: Referring to House resolution of the 6th instant, calling on heads of departments for report as to what objections there are, if any, against the adoption of the metrical system of weights and measures, as authorized by act of Congress, referred to this office for early report, I have the honor to reply that, as the use of weights and measures does not fall under this office, it has not the requisite experience on which to form an opinion.

I have the honor to be, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Adjutant-General.

The honorable the SECRETARY OF WAR.

Report from the Inspector-General.

HEADQUARTERS OF THE ARMY,
Inspector-General's Office, Washington, November 16, 1877.

Respectfully returned to the Secretary of War.

Although I have had no practical experience in the use of the metrical system of weights and measures, yet, in my judgment, the compulsory change from the present system would be inexpedient, as involving a large outlay of money without adequate comparative results.

R. B. MARCY,
Inspector-General.

Report from the Judge-Advocate-General.

BUREAU OF MILITARY JUSTICE,
November 14, 1877.

Respectfully returned to the Secretary of War.

While generally impressed with the excellence of the French metric system, and with the desirableness of adopting a system, on a decimal basis, which shall be common to civilized nations, I have no such expert knowledge of the details or operation of the French system as to enable me to express an intelligent opinion thereon. The subject is one wholly without my official province.

W. M. DUNN,
Judge-Advocate-General.

Report from the Quartermaster-General.

WAR DEPARTMENT.
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., November 10, 1877.

SIR: In reply to the reference of the resolution of the House of Representatives of the 6th instant, in regard to the objections which may exist to making the use of the metric system of weights and measures obligatory, first, in all government transactions, and, second, in all transactions between individuals, and the length of preliminary notice desirable before such metric law goes into operation in the United States, I have the honor to say that if the law makes the use of the metric system obligatory in all government transactions it can be adopted by officers of the Quartermaster's Department as soon as notified by general orders.

Such an order can be distributed to every military post within the space of one month from time of its publication, and, if the telegraph be used, within one week.

The objections thereto which at once occur to me, are:

1st. It will very considerably increase the labor of computation, for, in practice, all sellers to the United States will make their deliveries in accordance with the English measures now in general use, and the officers, using the ordinary scales for weight, and the yard, foot, and inch, and bushel, gallon, quart, and pint for measures, will first ascertain the quantities and sizes in the present weights and measures, and then, by the use of tables to be distributed, will reduce them to metric quantities in their statement of their vouchers, receipts, and accounts, which will, it appears to me, be a perfectly useless labor.

2d. This reduction, involving additional calculations and transfers from one set of units to another, unfamiliar and much less convenient, will infallibly be the source of many mistakes, to the loss of the disbursing-officer of the Treasury, or of the person who sells supplies to the United States.

3d. It will be necessary, in order to make the operation of such a law really successful, to throw away all the hay-scales and other platform-scales whose beams are now divided according to the American standard units of weight, and all the rules and measures divided according to the yard, foot, and inch, and all the weights, pounds, ounces, or grains, of avoirdupois, troy, and apothecaries' weight, and to purchase, distribute, and substitute new scales and new weights according to the metric system. These changes will be expensive. The trouble and labor I do not speak of, as such labor will, in case of the passage of a law, simply be the duty of all officers and employés of the United States.

4th. If the metric system is made obligatory in government transactions and not in transactions between individuals, then continual confusion and misunderstanding will be caused by the use of one standard by the government and another by the people. All packages are put up by merchants, manufacturers, and producers in accordance with the actual legal standards, pounds, ounces, grains, yards, feet, inches. The transactions of the United States, large as they are, are insignificant compared with those of private trade. Manufacturers and consumers, and the people will not change their customs at the call of the officers of the United States.

In regard to making the metric system obligatory in transactions between individuals:

1st. I do not believe that this is within the power of Congress. It will

be looked upon by the people as an arbitrary and unjust interference with their private business and individual rights, and I do not think that they will submit to it. It will inflict, if it can be enforced, a great loss upon many, especially upon manufacturers and mechanics whose shops are filled with costly tools, standard gauges, dies, and machines, all constructed upon the basis of the foot and inch.

Every geared lathe in the United States depends upon a screw of a certain number of threads to the inch, and all the screws it produces are gauged in pitch and diameter by the inch.

The meter is not commensurate with the inch, foot, or yard; all reductions are approximate only. The law of July 27, 1866, makes the use of the metric system permissive, legal, but not obligatory, and establishes for the reduction of meters to inches, and the reverse, the ratio of one meter to thirty-nine and thirty-seven hundredths inches, which is not absolutely correct. To alter all this machinery, to change all these machines, gauges, dies, screws, and other parts of engines, will be the work of years; will cost millions of dollars.

The metric system is not a convenient one for common use. Its measures are not of convenient length. The yard, half the stature of a man, is of convenient length to handle, to use, to apply. It, and the goods measured by it, can be halved, quartered, subdivided into eighths, sixteenths, thirty-seconds, sixty-fourths, &c.; or it can be with equal facility divided into tenths, hundredths, thousandths. Half a meter is no dimension; half a centimeter is an unknown quantity; but half a yard, half a foot, half an inch, half a bushel, one-fourth of a bushel, of a quart, of a pint, &c., are recognized. If half a liter, of a deciliter, or a quarter, eighth, or sixteenth of these quantities is provided for, then the metric decimal system is abandoned at once.

In calculation the metric system applies admirably to money and accounts of money; but even here the government has been obliged to abandon for the convenience of the people the true, strict, decimal system, and to coin half a dollar, half an eagle, the quarter of a dollar, &c.

In the use of weights and measures, however, there are not so great advantages in the decimal system. The unit is too large, and the numbers produced and used in the calculations of the engineer are tedious to write and are beyond the limits of ready apprehenson.

The ciphers and figures 0.00000073 convey no idea to a mind trained in the English and American system, and yet such combinations are common in French works of science and mechanics.

The true scientific natural basis of the metric system has been abandoned. The meter was intended and enacted to be the ten millionth of the quadrant of the terrestrial meridian of Paris. In the progress of geodesy and science, it is ascertained that the standard meter bears no relation to that quadrant, and though it is probably very nearly the ten millionth of the quadrant of the meridian in which New York lies, it is not probable that it is the ten millionth of either of the three other quadrants of that meridian, or of any quadrant of any other meridian.

The fact is, that the meter is quite as arbitrary and unscientific a standard as the foot or yard. It is of less convenient length than either of them, and its compulsory adoption would derange the titles and records of every farm and of every city and village lot in the United States; would put every merchant, farmer, manufacturer, and mechanic to an unnecessary expense and trouble, and all, it seems to me, for the sake of indulging a fancy only, and a baseless fancy, of closet philosophers and mathematicians for a scientific basis of measures and weights which (as the meter is not a ten millionth of the Paris quadrant, is not

what it professes to be, was enacted to be) cannot be found in the French metric system.

1. The unit of length :

The meter is 3,280,899+ feet, or 39,370.79+ inches.

2. The unit of area :

The are is 119.60332+ square yards.

3. The unit of liquid measure :

The liter is 0.26418635+ gallon, or 1,0567454+ quarts, or 2,1134908+ pints.

4. The unit of space :

The stere is 1.308764+ cubic yards, or 35.386636+ cubic feet.

5. The unit of weight is :

The gram = 15.43234874+ grains troy.

6. The unit of roods is :

The kilometer = 1000 meters = 0.62138+ mile.

7. The unit of land-measure for farms and city-lots is :

The hectare 2.47114 + acres.

8. The commercial unit of weights is :

The kilogram = 1000 grams = 2.20462125+ pounds avoirdupois.

What will our farmers, citizens, merchants, tradesmen, mechanics do with these figures? And will they submit to being obliged to reduce acres, feet, inches, pounds, and ounces by multiplying or dividing by the above figures?

I think that to make the French metric system obligatory between individuals in this country will be an impolitic and arbitrary interference with the rights, interests, and habits and customs of the people.

Very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General, Bvt. Major-General, U. S. A.

The honorable SECRETARY OF WAR:

Report from the Surgeon-General.

WAR DEPARTMENT,
SURGEON-GENERAL'S OFFICE,
Washington, D. C., November 17, 1877.

SIR: In compliance with instructions from your office contained in an indorsement upon a copy of the resolution adopted by the House of Representatives, calling for reports as to objections to making the use of the metrical system of weights and measures obligatory in all government transactions, and also obligatory in all transactions between individuals, I have the honor to report as follows:

I. As to the first of the questions submitted in the resolution, I feel constrained to express the opinion that the gravest inconveniences would immediately result from an attempt to render obligatory upon government officers only the use of a system of weights and measures whose units are so entirely different from those which have heretofore been, and would then continue to be, in general use among the people. I pass by the enormous difficulties which would result from compelling government officers to use a different unit for the *measures of length* from that used by the people. This would not only throw into confusion the whole system of land measurement as practiced in the United States, but would produce the most serious inconveniences from the resulting effort to use in all government works tools and machinery gauged by a different

standard from those in common use. These and similar inconveniences, some of them of the most deplorable kind, would be felt so much more severely by other departments of the government that the duty of representing the force of these objections may safely be left to them. I confine myself, therefore, in this report, to a brief statement of the disastrous inconveniences which would result to the medical department of the Army from the measure in question. This measure would compel the substitution of the metric system of weights and measures in prescribing and dispensing medicines in the Army for the system of apothecaries' weights and measures at present in use by the medical profession of the United States.

In all the medical and surgical works of any importance printed in the English language the doses are expressed in apothecaries' weights and measures. The immediate effect of compelling medical officers of the Army to substitute the metrical weights and measures would be to force them to make a series of arithmetical calculations every time they attempt to use the prescriptions or doses laid down in any medical work written in the English language. This thankless and unnecessary labor would waste much precious time, and an error might cost life. Moreover, the strength of the various medical tinctures and solutions in use in England and America has been so adjusted that the proper dose is expressed in even minims, drachms, or fluid ounces. Merely to substitute for these simple quantities the corresponding fractional numbers would be a silly waste of labor; and in order that a proper dose might be expressed in an even number of cubic centimeters, a revision of the Pharmacopœia would be necessary, and this would have to be followed by a corresponding revision of all the medical books in common use before the new Pharmacopœia could be conveniently used. In my opinion the best interests of sick officers and soldiers require that the medical staff of the Army should, in all its operations, act in the most complete harmony with the medical profession of the United States, and I cannot do otherwise than express my belief that the discordance in practice, which would be imposed by such a statute as is suggested, would be fraught with the most unfortunate consequences.

II. As to the second question, while I admit that the enforced introduction of the metric system would produce less detriment to the public service if it were rendered obligatory upon the whole people than if its use were simply compelled in government transactions, I must express the opinion that great public inconvenience would result if at the present time its general use were rendered obligatory by the exercise of an arbitrary act of power. I leave to others to point out the disorders likely to result in the land measurements, the railroad interests, and the general machinery interests of the United States, in all of which the units at present employed are incommensurable with those of the metric system, so that the use of long decimal fractions in the most ordinary transactions would become imperatively necessary as the only road of escape from still greater evils. I confine myself merely to the question of the interests of the medical profession of the United States, and must express the opinion that it will be time enough when they have asked for it to impose upon that body a change which will put all their operations out of harmony with the similar proceedings of other English-speaking nations. For assuredly many of the inconveniences which would be felt by government officers if compelled to use a system of weights and measures not used by the people would be felt by the whole people if they are compelled to use a system so materially different from that employed by other English-speaking people. These inconvenien-

ces would only be reduced to the minimum, if, by an international convention between the United States and Great Britain, a mutual agreement were entered into to bring the system simultaneously into use among all English-speaking people. Unless some such international arrangement can be effected I think it would be wiser for the friends of the metric system to remain for the present content with the law which has legalized its use by those who may find it well adapted for their own particular work. If it possesses the great advantages claimed for it over the older system, its use being already authorized by law, it will gradually extend until it has crowded all others out of existence, and no further legislation than that already had will be necessary to secure ultimately its general introduction. If, however, its advantages are so far counterbalanced by its disadvantages, at some of which I have briefly hinted, that its use, having been legalized, the people will not employ it of their own accord, its enforced introduction would be a great public wrong.

I am, sir, very respectfully, your obedient servant,

J. K. BARNES,
Surgeon-General U. S. A.

The Hon. SECRETARY OF WAR.

Report from the Commissary-General of Subsistence.

WAR DEPARTMENT,
OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
Washington, D. C., November 16, 1877.

SIR: In reply to your reference of the 8th instant for my views of a copy of the resolution of the House of Representatives, adopted on the 6th instant on motion of Mr. Clark, of Missouri, requesting the heads of the executive departments of the government to report "what objections, if any, there are to making obligatory, in all government transactions, the metrical system of weights and measures whose use has already been authorized by act of Congress; and also how long a preliminary notice should be given before such obligatory use can be introduced without detriment to the public service;" and also "what objections there are, if any, to making the metrical system obligatory in all transactions between individuals, and what is the earliest date that can be set for the obligatory use of the metrical system throughout the United States," I have the honor to state in reply to the first branch of the inquiry covered by the resolution, that to make obligatory, in government transactions, the metrical or any other system of weights and measures not in use by the people, and, consequently, not familiar to or generally understood by them, would not only involve great confusion and great extra labor in making reductions from the system in use by the people to the system adopted for the government, but I believe that the people would look with grave suspicion upon government transactions based on a system of weights and measures which they did not understand; and that to adopt a system exclusively for the government would have a tendency to remove the government farther from the people, and weaken, if not nearly destroy, their confidence in the integrity of the officials and agents of the executive departments.

To the second branch of the inquiry covered by the resolution, I would respectfully submit that I not only believe great detriment would ensue from the adoption of the metrical system exclusively for the use

of the government, but that it would be, also, inexpedient for the United States to make the system obligatory between individuals, unless in cooperation with Great Britain, with whom we are so intimately connected by language, literature, and commerce.

The change to a new system of weights and measures, based upon units widely different from and incommensurable with those upon which the system now in use is based, must necessarily require a great effort, and should be preceded by a long period of preparation, say twenty years. Even with the most thorough preparation the change, when made, will bring with it almost inextricable confusion and well-nigh intolerable inconvenience, however superior to the existing system the metrical system may be by reason of its decimal character, its symmetry, and its consequent simplicity.

Very respectfully, your obedient servant,

R. MACFEELY,
Commissary-General of Subsistence.

The Hon. SECRETARY OF WAR.

Report from the Paymaster-General.

OFFICE OF PAYMASTER-GENERAL U. S. A.,
November 24, 1877.

Respectfully returned to the honorable Secretary of War.

I am requested to make a report, agreeably to the terms of the resolution of the House of Representatives of November 6, 1877, as to "What objections, if any, there are to making obligatory in all government transactions the metrical system of weights and measures, whose use has been authorized in the United States by act of Congress; and also how long a preliminary notice should be given before such obligatory use can be introduced without detriment to the public service; and that they (heads of executive departments) are also requested to state what objections there are, if any, to making the metrical system obligatory in all transactions between individuals, and what is the earliest date that can be set for the obligatory use of the metrical system throughout the United States."

I believe that the eventual introduction into common use of the metrical system is highly desirable, and is fast becoming still more necessary in our intercourse with foreign nations, especially if it is destined, as seems likely, to pervade the world. The great objects attained by it will be, fixed standards, uniformity, and the extension of the decimal system, found so useful in our money standards.

Beginning with France in 1795, the whole continent of Europe has adopted the metric system, with the exception of Russia, the German Empire having adopted it in 1873.

That Germany could adopt a French system so soon after the war with France is honorable to German candor and sagacity, and encourages the belief that England, with all its conservatism, with all its repugnance to any novelties, will yet follow suit, especially considering its commercial necessities.

I am satisfied that it will be advisable to begin first with legislation making the metric system obligatory in certain, not in all, government transactions. In the collection of customs, in the postal system, and in fixing the rates of coinage, and in all international transactions, it should

now be made obligatory from the 1st of July, 1879. I do not recommend its adoption in the land system, and in purchases for the Army and Navy, and for the government, at so early a date.

By this first proposed legislation, a stimulus would be given for the system being taught in all the schools. Thus in six years the rising generation would be initiated and accustomed to it. It would be time enough then for legislation making its use obligatory in all remaining government transactions.

After a full trial of these measures the people might be prepared for its voluntary introduction in domestic transactions, and for legislation making it obligatory. But it is desirable that there should be no premature legislation of this last-named character, creating discontent and an unfortunate repeal of untimely laws enacted in advance of public sentiment. The preliminary measures referred to would prepare the public mind gradually for final legislation.

John Quincy Adams, in 1819, advocated the advantages of the metric system, but did not recommend any legislation at that time. But he predicted that the time would come when it would be universally adopted. That prediction is now in process of fulfillment.

By the act of 28th July, 1866 (Sec. 3569 R. S.), the use of the system was made legal and the equivalents to present standards announced. And it seems now probable that, by the gradual process I have indicated, the use of the system will finally become acceptable to the people of the United States.

BENJ. ALVORD,
Paymaster-General, U. S. A.

Report from the Chief of Engineers.

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., December 3, 1877.

SIR: In obedience to the instructions of the honorable the Secretary of War indorsed upon the resolution of the House of Representatives of November 6, looking to the early adoption of the French system of weights and measures, I have the honor to submit the following views:

The resolution presents two main inquiries: first, as to the adoption of the metric system in the government offices; and secondly, as to its adoption in transactions between individuals.

So far as the proposed change would affect the works carried on under charge of the officers of the Corps of Engineers, it need only be said that while any change in the ordinary and accepted standards must be an inconvenience, yet there is no other reason why the change should not be made, provided sufficient time is given for preparation. It is thought that the French metric standards should not be adopted, to the exclusion of the present standards, in this office within a less interval of time than five years after the passage of the act. This limit is fixed as the minimum, in order to allow for the proper careful manufacture, comparison, and distribution of standards, and their duplication in various forms for ordinary use, for the necessary changes in tables and formulæ, and more especially to allow a sufficient interval of time during which a practical familiarity with the new standards may be acquired, particularly by those with whom the business of the Engineer Department is transacted and who are not in the public service, as well as by those not in the public service who use the maps, charts, &c., of the department.

In regard to the compulsory use of the metric standards in the transactions of individuals, certain additional considerations present themselves. It is to be borne in mind that there is nothing in the proposed change which will in any way favorably affect the usual course of private business in this country, and that the demand for a change from the present system does not come from business men, but is made in furtherance of a project designed for the general public good in international intercourse. There is no pressing necessity for immediate change, and it would undoubtedly be better, if the change should be made, to make it by concerted, simultaneous action on the part of all English-speaking people.

The relations of trade between this country and Great Britain are such that the adoption of new standards of weight and measure by the one without the concurrent action of the other is extremely undesirable.

As to the general question whether it is desirable to adopt a decimal system of weights and measures, there will probably be but little difference of opinion, since its adoption will to some extent simplify existing tables, and tend to establish a uniformity of practice throughout the world. As an actual practical fact, its adoption is a matter of no immediate importance, and certainly should not be made obligatory upon individuals before it has become generally understood by being adopted in the government service and taught in all public schools.

The French decimal metric system has been adopted and made compulsory in France, Belgium, Holland, Greece, Italy, Spain, Portugal, Germany, Columbia, Venezuela, Ecuador, Brazil, Peru, Chili, and Argentine Confederation and Uruguay.

Great Britain and the United States have legalized the system, but have not made it compulsory. Switzerland, Sweden, Denmark, and Austria use partial decimal systems, but with different units of length and of measure.

Very respectfully, your obedient servant,

A. A. HUMPHREYS,
Brigadier-General and Chief of Engineers.

Hon. GEORGE W. MCCRARY,
Secretary of War.

Report from the Chief of Ordnance.

WAR DEPARTMENT, ORDNANCE OFFICE,
Washington, November 22, 1877.

SIR: I have the honor to acknowledge the receipt of copy of resolution of the House of Representatives requesting early report of any objections there are to making obligatory in all governmental transactions the metrical system of weights and measures, whose use has been authorized by Congress, &c.

In reply, I herewith inclose the views of Col. T. J. Treadwell, Ordnance Department, and of the Ordnance Board, to whom this subject was referred for report. I concur in these views and conclusions, anticipate little difficulty in the introduction of the metrical system in all ordnance transactions, and deem twelve months' preliminary notice ample.

Very respectfully, your obedient servant,

S. V. BENÉT,
Brigadier-General, Chief of Ordnance.

The Hon. SECRETARY OF WAR.

Maj. T. J. Treadwell's views on the metrical system.

The change from our present system of weights and measures may be very simply made by making the *foot* equal 3 decimeters,* or the *yard* equal 9 decimeters or $\frac{9}{10}$ of a meter. The standard rule for the new system of measurements may be made as follows: Lay off on the rule one meter, take $\frac{9}{10}$ of this length, divide this into *three* equal parts, subdivide each of these into *ten* equal parts, and each subdivision into ten equal parts, we would thus have as the standard of length: the meter, the $\frac{1}{10}$, $\frac{1}{100}$, and $\frac{1}{1000}$ of a meter. Make all verniers read to the decimal of this latter subdivision. With the meter thus adopted for a standard unit of measure—

The square meter would be the unit of surface measure.

The cubic meter would be the unit of solid measure.†

The cubic of $\frac{1}{10}$ meter would be the unit of capacity, or liter.†

The cubic of $\frac{1}{100}$ meter would be the unit of weight, or gram.

Introduce the words meter, liter, and kilogram (the gram being 15 grains about, is too small a unit for weight for practical use).

Form all denominations decimally from the primary unit meter, and secondary units liter and kilogram, viz:

1 meter.	$\frac{1}{10}$ meter.	1 liter.	$\frac{1}{10}$ liter.	1 kilogram.	$\frac{1}{10}$ kilogram.
10 meters.	$\frac{1}{100}$ meter.	10 liters.	$\frac{1}{100}$ liter.	10 kilograms.	$\frac{1}{100}$ kilogram.
&c.	&c.	&c.	&c.	&c.	&c.

Thus all measures of weight, dimensions, and capacity are directly derivable from the meter.

It is believed that the introduction and use of the metric system would, when acquired (which could be readily effected), be of great practical value in the operations of the Ordnance Department, and steps for its speedy introduction therein could be taken without delay.

Additional views of Maj. T. J. Treadwell.

The system of weights and measures proposed being based on the meter, and all the proposed tables of measures and weights being directly derivable from the meter, and the multiples, the higher denominations the tables being 10, and that of the subdivision being formed decimally also from the meter, it is thought that the spirit of sections 3569 and 3570 of the Revised Statutes of the United States, which were carefully examined in the consideration of the subject, have been strictly adhered to. The standard rule of length proposed, on which all the tables proposed were based, has laid off on it the meter for the purpose of readily measuring multiples of the meter; for the purpose of smaller measures of length, $\frac{9}{10}$ of this length (the meter) is divided into three equal parts; this subdivision, 3 decimeters in length, was taken because it is 11.811237 of our inches, and being so nearly equal in length to the present foot in use, it was thought it would be more readily conceived of and adapted for use than would the measure of the $\frac{1}{3}$ meter, which is 13.123966+ of our inches.

The suggestion of the 3-decimeter division was derived from the work

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*The length 3 decimeters, instead of $\frac{1}{3}$ of a meter, is taken as a substitute of the present part, because its length—11″.811237—is nearly that of the foot, and the use of this length would come more naturally than would be the case if the difference between the new and old foot was a very considerable part of its whole length.

† Equal to that quantity of distilled water, at its maximum density, which fills these measures.

of Prof. F. A. P. Barnard of Columbia College on the subject of the Metric System, page 80, the universal introduction and use of which by all civilized nations he is an ardent advocate. Professor Barnard says: "Our foot differs from three decimeters by a very inconsiderable fraction, less than two-tenths of an inch. If we make this slight alteration we are at harmony with all of continental Europe."

This was made the basis of the proposed changes, and in none of the tables derived from the meter base so used are our present measures retained.

For smaller denominations, decimal parts of the meter, the length 3 decimeters was divided into ten equal parts, 3 centimeters, and then again subdivided into ten equal parts, 3 millimeters. Perhaps a better division of the length 3 decimeters would be into 30 equal parts, and each of these again into ten equal parts, which would make the numerator unity and the subdivisions centimeters, millimeters, &c. The smallest subdivision of the proposed standard rule would then be the millimeter, a division equal to .0394 inch, and easily read without the use of a vernier.

That all the other tables proposed are also founded upon and directly derivable from the meter does not, it is thought, require further discussion.

Views of the Ordnance Board, United States Army, Lieut. Col. S. Crispin, president, on the metrical system.

The board examined attentively the Revised Statutes referred to by the Chief of Ordnance and consulted the different views expressed by writers on the subject, in making its report, and it still entertains the belief that it has presented a metrical system of weights and measures in conformity with the United States statutes, and having for its basis the French meter using the decimal system in its subdivisions. A decimal of a meter (0.9) decimally subdivided (the meter being the unit), gives of course the same subdivisions as are found in the decimal division of an entire meter, just as much as the proper subdivision of a foot into inches gives the same subdivision as attains in the standard yard.

The intention of the recommendation is to facilitate the introduction of the metrical system by giving calculators and mechanics an easier appreciation, in an ideal point of view, of the values of subdivisions of the meter in comparison with their conceptions of the subdivisions of the ordinary English foot and yard.

In the acquiring of a language, the old think in their own language and speak in the other; the young, however, with their comparatively blank and highly-impressible brains, harmonize thought and expression readily in acquiring a tongue.

The change from the unit of yards to one of meters, involving changes in weights and measures, and affecting every day all the barterings and the calculations of a great nation, is one which should have all the facilities available to ease the change.

As in language, the old will calculate in yards but work in meters.

If educated in youth that high accord between the ideas of dimensions and the unit or parts of a unit to express them would exist, and no need of aids to help by reference to our present unit will be required for the coming man educated to the use of the metrical unit.

The retention of the idea of foot and yard seems to be important under this view of the case, and it was considered a judicious "aide memoire"

to use a rule of that part of the meter-length which approximates the yard, graduated, however, with the metric subdivisions.

When questions arise involving large measurements, necessitating their expression in meters, they will be so noted, but as this latter measure conveys to the English mind (when these occasions arise) distances approximating to the same in yards, there is no reason for any special provision in this regard.

Decimeter-rules (3 decimeters in length) are now in practical use in the United States.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 9.

EXPENDITURE OF STATE DEPARTMENT CONTINGENT FUND.

LETTER

FROM

THE SECRETARY OF STATE,

TRANSMITTING

Statement of expenditure of contingent fund for the department.

DECEMBER 10, 1877.—Referred to the Committee on Expenditures in the Department of State and ordered to be printed.

DEPARTMENT OF STATE,
Washington, D. C., December 7, 1877.

The Secretary of State, in pursuance of the requirements of sections 193 and 209 of the Revised Statutes, has the honor to submit to Congress the following statements, viz:

A.—Giving a detailed statement of the manner in which the contingent fund for the Department of State for the year ending June 30, 1877, has been expended;

B.—A statement of the expenditures from the contingent fund for the expenses of foreign intercourse, including the contingent fund for the expenses of all the missions abroad, for the year ending June 30, 1877, with the balances of all former appropriations in each case on hand in the Treasury Department and in the hands of the disbursing-clerk of the Department of State; and,

C.—Being a precise analytical statement of all moneys disbursed by the disbursing-clerk of this department during the fiscal year ending June 30, 1877.

WM. M. EVARTS.

HON. SAMUEL J. RANDALL,
Speaker of the House of Representatives.

A.—*Giving a detailed statement of the manner in which the contingent fund for the Department of State for the year ending June* 30, 1877, *has been expended.*

To whom paid.	On what account.	Amount.
John W. Russell	Car-fare, &c., on public business	$11 50
H. J. Hart	Roach-powder and bellows	16 25
E. K. Lundy	Newspapers, 1 month	5 90
A. Young & Brother	Towels for use in department	16 50
Elizabeth H. Brown	Washing towels for use in department	24 50
William Callow	Newspapers, 1 month	22 80
Murrray & Barker	Shoeing horses (public animals)	8 75
Washington Gas-Light Company	Gas consumed in July	103 50
Radcliffe Baldwin	Two New York Directories	9 00
Kennebec Ice Company	Ice for July	55 97
Atlantic, Pacific and Franklin Telegraph Company.	Telegrams (public business)	1 25
National Republican	Publishing proclamation	25 00
Washington and Georgetown Railroad Company.	Car-tickets	15 00
J. Bradley Adams	Subscription to newspaper	4 50
C. F. Schmidt	Crash toweling for scrubbing	4 60
Evening Star, newspaper	Seven copies for 1 month each	10 50
L. H. Schneider	Supplies for engine	21 33
Elizabeth H. Brown	Washing towels for use of department	24 50
Metropolitan Railroad Company	Car-tickets	10 00
William Callow	Newspapers, 1 month	22 80
E. K. Lundy	..... do	5 90
William H. Dice	Sundry repairs in department	3 75
Washington Gas-Light Company	Gas consumed in August	104 63
Murray & Barker	Shoeing horses (public animals)	10 00
Kennebec Ice Company	Ice for August	53 34
J. W. Boteler & Bro	Brooms and other supplies for department	105 90
Joseph Mackey	Subscription to C. H. Directory	12 00
J. W. Russell	Traveling expenses (public business)	31 50
Richard Lauz	Hauling books to bindery	5 00
Adams Express Company	Freight, &c. (public property)	19 80
E. K. Lundy	Newspapers, 1 month	7 08
Kennebec Ice Company	Ice for September	42 68
William H. Dice	Book-binder's rack, &c	30 75
William Callow	Newspapers, 1 month	22 80
Elizabeth H. Brown	Washing towels for use in department	23 50
National Republican, newspaper	Advertising proposals for wood and coal	20 00
Washington Gas-Light Company	Gas consumed in September	120 15
Murray & Barker	Shoeing horses (public animals)	7 50
B. Koch	Repairing harness, carriages, &c	10 40
W. S. Thompson	Horse-medicines, two bills	16 20
Nation, newspaper	Subscription for paper	5 20
Western Union Telegraph Company	Telegrams (public business)	67 65
Atlantic, Pacific and Franklin Telegraph Company.	.....do	1 40
Henry Neal	Putting down carpets	56 00
Washington and Georgetown Railroad Company.	Car-tickets	10 00
Louise Pumphrey	Towels, &c., for use in department	44 63
J. W. Boteler & Bro	Cleaning material and implements	123 75
Elizabeth H. Brown	Washing towels for use in department	24 75
M. Fauntleroy	Putting wood in cellar, &c	34 50
Johnson Bros	Coal and wood	2, 081 34
M. Fauntleroy	Putting away coal, &c	163 63
Murray & Barker	Shoeing horses (public animals)	11 25
William H. Dice	Taking down awnings	22 10
E. K. Lundy	Newspapers, 1 month	5 90
William Callow	Subscriptions for newspapers, 1 month	23 20
Joseph Niland	Soap and brooms	24 00
H. Baumgarten	Stamp-ribbons	7 25
Kennebec Ice Company	Ice for October	37 80
L. H. Schneider	Belting, tools, &c	18 32
Adams Express Company	Freight and charges (public property)	30 15
John W. Russell	Traveling expenses (public busines)	9 80
S. A. Brown, chief clerk	..... do	28 00
National Republican, newspaper	Advertising proposals	30 50
Counting House Monitor, newspaper	Subscription, 1 year	6 00
Hon. Hamilton Fish, Secretary of State	Telegrams on public business	14 82
J. McDermott & Bros	Rubber tire on trucks	3 00
Elizabeth H. Brown	Washing towels, use of department	24 75
William Callow	Newspaper subscriptions, November	23 10
Kennebec Ice Company	Ice for November	36 40
Washington Gas-Light Company	Gas consumed in October	144 68
Do	Gas consumed in November	180 90
William H. Dice	Repairing desks, &c	15 90
John F. Green	Horse-feed for public animals	27 65
Murray & Barker	Shoeing horses (public animals)	12 50
Lutz & Bro	Buffalo-robes for mail-wagons	33 00
John F. Green	Horse-feed for public animals	19 60

A.—*Contingent expenses of Department of State, &c.*—Continued.

To whom paid.	On what account.	Amount.
Murray & Barker	Shoeing horses (public animals	$22 00
B. Koch	Repairing harness, &c	12 25
E. K. Lundy	Newspapers, 1 month	5 90
Atlantic, Pacific and Franklin Telegraph Company.	Telegram (public business)	25
John McCarthy	Flower-pots for plants	4 25
J. W. Boteler & Bro	Sponges, matches, &c	30 00
H. Baumgarten	Stamps, ink, &c	6 00
Western Union Telegraph Company	Telegrams (public business)	9 23
Evening Star, newspaper	Seven copies, 1 month	10 50
E. Howard & Co	Dials for electric clock	3 00
Atlantic, Pacific and Franklin Telegraph Company.	Telegrams (public business)	90
Adams Express Company	Freight and charges (public property)	16 35
T. F. Dwight	Traveling expenses (public business)	30 00
District of Columbia	Notary public's license, J. J. Chew	5 00
Evening Post, newspaper	Subscription, 1 year	9 00
W. W. Farr	Care, repair, and winding clocks	46 00
J. Bradley Adams	Tribune, newspaper, subscription	6 00
Elizabeth H. Brown	Washing towels, use of department	24 50
Henry Neal	Laying carpets	5 00
George C. Maynard	Battery-materials	5 00
William Callow	Newspapers, 1 month	22 80
F. Schneider & Son	Tools and brooms	26 50
J. S. Humphreys	Two Directories	10 00
George F. Wassman	Keys, &c., for desks	2 00
John Niland	Brooms and soap	18 00
J. L. Harman	Baltimore Sun, three copies 1 month	6 60
J. W. Boteler & Bro	Soap and other supplies	7 50
Kennebec Ice Company	Ice for December	36 68
William H. Dice	Sundry repairs in department, November	56 50
Do	Sundry repairs in department, December	56 25
Washington Gas-Light Company	Gas consumed in December	227 93
Washington and Georgetown Railroad Company.	Car-tickets	15 00
E. K. Lundy	Newspapers, 1 month, December	5 90
W. S. Thompson	Soap for scrubbing, &c	16 23
H. Baumgarten	Stamps, &c., consulates	30 00
Atlantic, Pacific and Franklin Telegraph Company.	Telegrams (public business)	1 85
Metropolitan Railroad Company	Car-tickets	10 00
A. T. Stewart & Co	Twilled crash for scrubbing-cloths	11 23
Mary Hoyt	Making towels, tape, &c	2 50
George F. Wassman	Repairing letter-press	15 00
Michael Fitzgerald	Cleaning snow from sidewalks, &c	4 50
E. K. Lundy	Newspapers, 1 month, January, 1877	5 90
Kennebec Ice Company	Ice for January	37 80
Pay-roll of laborers	Department of State for January	36 13
Elizabeth H. Brown	Washing towels, use of department	25 00
William Callow	Newspapers, subscription, 1 month	22 95
J. W. Ervin	Bill of hay (public animals)	16 72
O. M. Barrows	Bill of straw (public animals)	14 56
Lutz & Bro	Horse-cover, collars, &c	22 00
Murray & Barker	Shoeing horses (public animals)	19 00
John McDermott & Bro	Runners for mail-wagon	30 00
H. N. Barlow	Repairing and regilding picture-frames	41 88
William H. Dice	Sundry repairs in department	10 55
Washington Gas-Light Company	Gas consumed in January, 1877	221 85
H. N. Barlow	Four ebony picture-frames for portraits	200 00
Adams Express Company	Bill of freight for February	5 55
Messager Franco-Américain	Subscription, 1 year, French paper	12 00
J. Disturnell, Official Register	Subscription, 1 year	3 00
National Republican	Subscription, five copies	40 00
Atlantic and Pacific Telegraph Company	Telegrams (public business)	3 04
J. W. Boteler & Bro	Sponges, pitchers, &c	63 50
Washington and Georgetown Railroad Company.	Car-tickets	15 00
William Smith	Official cards, Secretary of State	15 00
Chronicle Publishing Company	Subscription, eight copies (final)	8 80
Elizabeth H. Brown	Washing towels, use of department	24 50
Kennebec Ice Company	Ice for February	34 72
William Callow	Newspaper, subscription 1 month	22 80
E. K. Lundy	Newspapers, 1 month	5 90
Murray & Barker	Shoeing horses (public animals)	7 50
Washington Gas-Light Company	Gas consumed in February	158 18
H. Richey	Repairing tin match-chest, &c	10 00
Charles Lucas	Hauling boxes for department	1 50
Muzard & Fils	Extradition treaties	5 58
Evening Star, newspaper	Subscription, 1 year	10 50
National Republican, newspaper	Advertising, &c	28 00
Boston Daily Advertiser, newspaper	Subscription, 1 year	12 00

A.—*Contingent expenses of Department of State, &c.*—Continued.

To whom paid.	On what account.	Amount.
John W. Drew	Soap, &c., scrubbing and washing	$45 50
Metropolitan Railroad Company	Car-tickets	10 00
Commercial Advertiser, newspaper	Subscription, 1 year	9 00
John Niland	Soap and brooms, cleaning	15 00
Kennebec Ice Company	Ice for March	39 20
J. W. Bradley Adams	Newspapers, 1 month	4 50
George C. Maynard	Battery zinc, &c	3 50
Elizabeth H. Brown	Washing towels (use of department)	25 00
J. W. Boteler & Bro	Soap and hair sweeps	59 75
William Callow	Newspapers, 1 month	22 80
William S. Thompson	Camphor, snuff, &c	5 38
A. Young & Bro	Muslin for press-cloths, &c	10 12
E. K. Lundy	Newspapers, 1 month, March	5 90
John Niland	Candles (use of watch, &c)	7 20
Washington Gas-Light Company	Gas consumed in March	182 70
Thomas H. Shepherd	Rubber hose for stable	9 00
B. Koch	Repairing harness	5 30
J. W. Boteler & Bro	Soap for stable	11 05
W. S. Thompson	Horse-medicines (public animals)	4 75
John F. Green	Horse-feed (public animals)	91 14
Murray & Barker	Shoeing horses (public animals)	11 75
William H. Dice	Sundry repairs in department	35 25
Do	Putting up curtains, &c	13 25
Washington Gas-Light Company	Gas consumed in April	164 70
M. Fauntleroy	Putting in coal and wood, and sawing	23 00
Johnson Brothers	Coal and wood	272 00
Adams Express Company	Freight and charges (public property)	58 95
T. S. & J. D. Negus	Repairing thermometer	1 00
Atlantic and Pacific Telegraph Company	Telegrams (public business)	12 05
Washington and Georgetown Railroad Company.	Car-tickets (public business)	10 00
Solomons & Chapman	Soap for use in department	7 50
Kennebec Ice Company	Ice for April	36 12
William Callow	Newspapers, 1 month	22 80
E. K. Lundy	do	5 90
Elizabeth H. Brown	Washing towels (use of department)	25 00
W. N. Febrey	Bill of hay (public animals)	21 75
Murray & Barker	Shoeing horses (public animals)	7 50
William H. Dice	Sundry repairs in department	41 25
Adams Express Company	Freight and charges (public property)	8 70
J. Disturnell	Blue Book	3 00
Frank M. Tribon	Stamp-ribbons	2 00
Western Union Telegraph Company	Telegrams (public business)	27 05
F. A. Fill & Co	Cards and envelopes	70
H. Baumgarten	Stamp ribbon	1 50
William Cole	Taking up carpets	4 00
Alexander Reed	Hauling newspapers to bindery	1 50
William Callow	Newspapers, 1 month	22 80
Elizabeth H. Brown	Washing towels (use in department)	25 00
Evening Star, newspaper	Seven copies, three months	10 50
J. Bradley Adams	Tribune, April and May	3 00
E. K. Lundy	Newspapers, 1 month	5 90
Kennebec Ice Company	Ice for May	41 15
Moses Fauntleroy	Putting away wood, and sawing	9 00
Johnson Brothers	Wood	30 00
Robert Graham	Repairing wagons, &c	139 80
Murray & Barker	Shoeing horses (public animals)	11 25
Washington Gas-Light Company	Gas consumed in May	145 13
William H. Dice	Sundry repairs in department	43 90
Adams Express Company	Transportation (public property)	29 25
Washington and Georgetown Railroad Company.	Car-tickets	15 00
Solomons & Chapman	Whisk brooms (use in department)	11 37
John W. Drew	Brushes, scrubbing, &c	11 50
Atlantic and Pacific Telegraph Company	Telegrams (public business)	2 34
Do	do	2 72
Richard Gillam	Taking up carpets	56 00
S. T. Crawford	Cotton cloth	40
F. Schneider & Son	Tools, nails, rope, &c	23 65
Elizabeth H. Brown	Washing towels (use in department)	25 00
John A. Baker	Lawn-mower	22 00
J. L. Harmon, Baltimore Sun	Subscription, 6 months	6 60
H. Richey	Funnel, can, and scoop	3 00
Kennebec Ice Company	Ice for June	46 87
William Callow	Newspapers, 6 months	23 64
George F. Wassman	Cleaning sword	1 00
W. S. Thompson	Drugs and insect-powder	9 75
The Baumgarten Seal Engraving Company	Seals, &c	26 00
Charles McCarthy	Delivering Sunday mails	14 00
E. K. Lundy	Newspapers, 1 month, June	5 90
John Niland	Soap, candles, &c	53 90

A.—*Contingent expenses of Department of State, &c*—Continued.

To whom paid.	On what account.	Amount.
J. W. Boteler & Bro	Sponges, brushes, &c	$82 50
L. H. Schneider	Sperm-oil, lights	79 20
Washington Gas-Light Company	Gas consumed in June	114 08
L. H. Schneider	Repairs, tools, &c	19 92
William H. Dice	Sundry repairs, material, &c	32 95
John W. Drew, two bills, $20.20 and $41.50	Soap, chamois-skins, &c	61 70
Robert W. Graham	Repairing mail-wagon	92 45
Taylor & Hufty	Rubber coats for mail-drivers	23 00
H. Richey	Water-cooler for stable	2 50
B. Koch	Repairing harness	33 85
Murray & Barker	Shoeing horses (public animals)	10 75
W. S. Thompson	Sponge, and horse-medicine(public animals)	8 88
William H. Dice	Repairs in stable	6 50
John F. Green	Horse feed (public animals)	166 15
Total expenditures to June 30, 1877		9,493 12

B.—*Statement of the expenditures from the fund for contingent expenses of foreign intercourse, including the expenditures for contingent expenses of all missions abroad for the fiscal year ending June* 30, 1877.

To whom paid.	On what account.	Amount.
Atlantic, Pacific and Franklin Telegraph Company.	Cable telegrams	$36 58
New York Times, newspaper	Subscription for legation at Lima	3 00
Western Union Telegraph Company	Cable telegrams	171 15
Do	Telegrams	30 78
Evening Post, newspaper	Subscription	3 00
William A. Dice	Making boxes	15 75
Do	For boxes	8 30
Solomons & Chapman	Stationery	580 48
C. Weber	Repairing mail-bags	79 00
William H. Dice	Packing-boxes	6 50
John E. Neff	Certificate of great seal of Indiana	1 00
Perry & Parker	Custom-house brokerage	62 10
G. L. Berdan	Expenses incurred on official business	42 75
M. J. Phelps	Dispatch-bags	185 00
Solomons & Chapman	Envelopes and paper	441 12
Western Union Telegraph Company	Cable telegrams	161 27
Do	Telegrams	13 06
Joseph T. Young, secretary	Certificate of seal	1 00
Western Union Telegraph Company	Cable telegrams	421 66
French, Edge & Co	Freight on public documents	2 96
Solomons & Chapman	Stationery	878 97
State of Missouri	Certificate of seal	1 00
Boston Semi-Weekly Advertiser	Subscription	4 00
Solomons & Chapman	Stationery	391 75
Atlantic, Pacific and Franklin Telegraph Company.	Telegrams	9 44
New York Tribune	Subscription	16 26
D. W. C. Farrington	Flags	659 50
National Republican	Subscription	8 00
Inter-Ocean, newspaper, Chicago	....do	7 46
Western Union Telegraph Company	Cable telegrams	130 09
Atlantic, Pacific and Franklin Telegraph Company.	....do	114 41
Western Union Telegraph Company	Telegrams	31 99
Do	Cable telegrams	230 31
Solomons & Chapman	Letter-paper	326 09
H. Richey	Tin packing-boxes, &c	18 60
New York Times	Subscription	19 30
Evening Post, newspaper	Subscription	15 24
H. Baumgarten	Seal-press	25 00
John Leckie	Subscription to Directory	5 00
F. Schneider & Son	Hoop-iron for strapping boxes	10 32
William H. Dice	Packing-boxes	25 60
National Republican, newspaper	For legation at Constantinople, 1 year	8 00
Adams Express Company	Freight, &c	21 02
Atlantic, Pacific and Franklin Telegraph Company.	Cable telegrams	111 51
New York Times, newspaper	Subscription for legation at Berlin	19 30
National Republican, newspaper	Subscription for legation at Mexico	8 00
Solomons & Chapman	Stationery	610 64
Le Memoriel Diplomatique	Subscription	17 37
George F. Wassman	Lead seals for dispatch-bags	30 00
Indianapolis Daily Journal	Subscription	12 00

B.—*Contingent expenses of Department of State, &c.*—Continued.

To whom paid.	On what account.	Amount.
The New York Times	Subscription for legation at Mexico	$22 95
C. Weber	Repairing mail-bags	37 00
Western Union Telegraph Company	Cable telegrams	121 47
William H. Dice	Making packing-boxes	8 00
National Republican	Subscription	8 00
New York Times	do	7 16
Radcliffe Baldwin, dispatch-agent, New York	Freight charges, &c., Baldwin Brothers	376 88
Do	Salary, rent, &c	312 31
Solomons & Chapman	Stationery	468 12
National Republican, subscriptions	London, Madrid, Rome, and Vienna legations.	32 00
Western Union Telegraph Company	Cable telegrams	452 71
Atlantic, Pacific and Franklin Telegraph Company.	Telegrams	23 60
Bureau of Printing and Engraving, Treasury Department.	Engraving and printing passports	362 58
Charles P. James	Legal services	300 00
Solomons & Chapman	Writing-paper	368 10
National Republican	Publishing convention with Spain	270 00
J. H. Bridgland	Handling dispatch-bags	105 33
President's approval		500 00
C. Weber	Repairing mail-bags	31 50
H. Baumgarten	Hand-seals	100 00
New York Times, newspaper	Subscription	19 30
Western Union Telegraph Company	Telegrams	6 07
Do	Cable telegrams	115 64
New Orleans Republican	Subscription	5 00
D. Honeyman	Survey of Mason and Dixon's line	500 00
New York Tribune	Subscription	16 26
Atlantic and Pacific Telegraph Company	Telegrams	47 79
New York Tribune	Subscription	16 24
Baltimore and Potomac Railroad Company	Freight, &c	4 72
New York Times	Subscription	19 30
Radcliffe Baldwin, dispatch-agent, New York	Salary and disbursements	283 93
Atlantic and Pacific Telegraph Company	Telegrams	5 32
Western Union Telegraph Company	Cable telegrams	225 91
New York Times	Subscription	5 08
New York Tribune	do	5 08
New York Times	Subscription, legation at Brussels	19 30
New York Herald	do	17 30
H. D. Bookman	Repairing mail-bags	147 00
Solomons & Chapman	Letter-paper	325 00
Gill & Co	Freight	3 00
Atlantic and Pacific Telegraph Company	Telegrams	20 08
New York Tribune	Subscription, Paris legation	16 24
Western Union Telegraph Company	Cable telegrams	117 45
Baltimore and Ohio Railroad Company	Bills freight, $3.30 and $1.70	5 00
N. S. Reneau, bearer of dispatches	Expenses, traveling, &c	100 00
New York Tribune	Subscription, legation at the Hague	5 08
New York Herald	do	17 30
Atlantic and Pacific Telegraph Company	Cable telegrams	70 29
Western Union Telegraph Company	do	429 54
H. D. Bookman	Repairing mail-bags	3 00
Atlantic and Pacific Telegraph Company	Cable telegrams	11 88
Total amount expended on account of foreign missions		12, 523 44

Contingent expenses of all missions abroad during the fiscal year ended June 30, 1877, disbursed through the Treasury Department, as reported to this department by the Fifth Auditor.

Missions.	
1. Argentine Republic	$400 00
2. Austria	928 94
3. Belgium	422 08
4. Brazil	211 33
5. Central America	1, 302 21
6. Chili	725 00
7. China	*3, 150 00
8. Denmark	458 97
9. France	3, 964 93
10. German Empire	2, 825 74
11. Great Britain	4, 002 60
12. Greece	433 96
13. Hawaiian Islands	237 54
14. Hayti	582 21
Carried forward	19, 645 51

* Including rent for court-house and jail.

B.—*Contingent expenses of Department of State, &c.*—Continued.

Mission.		Amount.
Brought forward	$19,645 51	$12,523 44
15. Italy	603 14	
16. Japan	*4,173 30	
17. Liberia	400 00	
18. Mexico	1,876 58	
19. Netherlands	217 99	
20. Paraguay and Uruguay	1,000 00	
21. Peru	400 00	
22. Portugal	440 37	
23. Russia	2,422 22	
24. Spain	5,922 62	
25. Sweden	450 00	
26. Switzerland	406 51	
27. Turkey	2,538 15	
28. Venezuela	400 00	
29. United States dispatch-agents	4,788 13	
30. Department of State	14,716 50	
		60,401 02
Total		72,924 46

* Including rent for court-house and jail.

B.—*Statement of amount of all former appropriations for contingent expenses of the Department of State, and contingent expenses of foreign intercourse, including all missions abroad, on hand June* 30, 1877.

IN THE TREASURY.

Contingent fund, Department of State, 1876	$1,681 17
Contingent fund, foreign intercourse, 1876	34,264 75

IN HANDS OF DISBURSING-CLERK.

Contingent fund, Department of State	18 85
Contingent fund, foreign intercourse	5,494 32

IN THE TREASURY ON ACCOUNT OF APPROPRIATIONS, 1877.

Contingent expenses, Department of State	10,029 70
Contingent expenses, foreign intercourse, 1877	28,867 40
Total	80,356 19

C.—*Analytical statement of all moneys disbursed by the disbursing-clerk of the Department of State during the fiscal year ended June* 30, 1877.

Appropriation for salaries of Secretary of State, Assistant Secretaries, clerks, messengers, watchmen, laborers, &c.	$112,832 36
Appropriation for contingent expenses of the Department of State	9,493 12
Appropriation for editing, printing, binding, and distributing the laws enacted by the 1st and 2d sessions, 44th Congress	6,250 97
Appropriation for proof-reading, Department of State	1,479 20
Appropriation for books and maps, Department of State	1,998 79
Appropriation for stationery, furniture, &c., Department of State	3,105 75
Appropriation for contingent expenses, Department of State, 1876, for balance of 1 month's rent of building known as the Washington City Orphan Asylum (month of October, 1875)	1,000 00
Appropriation for rent of stable and wagon-shed, Department of State	833 33
Appropriation for lithographing, Department of State	1,207 25
Appropriation for postage, Department of State	9 68
Appropriation for removing remains of Hon. E. Rumsey Wing from Quito to cemetery at Owensborough, Ky	219 25
Appropriation for contingent expenses of foreign missions	12,523 44
Appropriations for contingent expenses of United States consulates	41,952 77
Appropriation for rescuing shipwrecked American seamen	2,462 00
Appropriation for expenses under the neutrality act	30 00
Appropriation for survey of boundary between the United States and British Possessions (1872, no limit)	35 00
Appropriation for Tribunal of Arbitration at Geneva (1872, no limit)	9,575 94
Total	205,008 85

R. C. MORGAN,
Disbursing-Clerk, &c.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 10.

SECURITY OF PUBLIC BUILDINGS AGAINST FIRE.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

Report of the commission appointed to examine into the security of the public buildings in the city of Washington against fire.

DECEMBER 10, 1877.—Referred to the Committee on Public Buildings and Grounds and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, a copy of the report of a commission appointed by me on the 27th of September, 1877, to examine the several public buildings in this city and determine the nature and extent of their security against conflagration, and the measures to be taken to guard the buildings and their contents from destruction or damage by fire.

The records of the government constitute a most valuable collection for the country, whether we consider their pecuniary value or their historical importance, and it becomes my duty to call your attention to the means suggested for securing these valuable archives, as well as the buildings in which they are stored.

The commissioners have performed their duties intelligently and faithfully; their recommendations are fully concurred in by me, and commended to the favorable consideration of Congress.

R. B. HAYES.

EXECUTIVE MANSION,
December 10, 1877.

WASHINGTON, D. C., *October* 22, 1877.

SIR: I have the honor to inclose herewith the report of the commission appointed by the President September 27, 1877, to examine and report upon the condition of the public buildings in Washington, as to security against fire, &c.

Very respectfully, your obedient servant,

THOS. LINCOLN CASEY,
Lieut. Col. Corps of Engineers, President of Commission.

Hon. GEO. W. MCCRARY,
Secretary of War.

WASHINGTON, D. C., *October* 22, 1877.

SIR: In obedience to your commission and instructions of the 27th of September, 1877, a copy of which is attached, we have the honor to state that we have made a personal and thorough examination of the public buildings in Washington, including those in process of construction or repair, and as a result of such examination we have respectfully to report under the several heads required, premising that our inspection has not been limited to structures owned by the government, but has been extended to private buildings rented for public purposes:

1. The condition of each of said buildings as to security against fire, and whether any, and, if any, which of them may be considered fire-proof.

CAPITOL AND GOVERNMENT PRINTING OFFICE.

Capitol.—This building generally is of fire-proof construction. Those portions of the roof which are immediately over the eastern porticoes of the Senate and House wings are constructed of wood, covered with copper, and beneath there is a fire-proof floor.

The quarter part of the roof over the old portion of the building immediately adjoining the dome, and the ceilings of the rooms beneath, are of ordinary wood construction. The space between is used for storage of books and documents. Should a fire occur in this portion of the building, it might endanger the stability of the colonnade of the dome. The rooms in which the books and files are kept are of considerable extent and without any safe separation from each other. In the small library-rooms adjoining the Senate and House, the galleries, shelves, and cases are constructed of wood.

Government Printing Office.—This building is of ordinary construction, wooden beams, floors, stairs, and sheathing, excepting one small fire-proof room used for the storage of stereotype and electrotype plates. Limited facilities for obtaining water are found on each floor.

THE STATE DEPARTMENT

is located in the south wing of the new building designated for the State, War, and Navy Departments. This building is substantially fire-proof, the whole being constructed of non-combustible materials, except the doors, and the wooden flooring, which is laid in close contact with concrete.

TREASURY DEPARTMENT.

The Treasury building is constructed mainly of non-combustible materials. The file-room, over the eastern colonnade, has a floor of wood, laid on wooden joists; the roof over this and the remainder of the old portion of the building has wooden sheathing over light corrugated iron arches, sprung from iron girders. The file-rooms in the upper portions of the building are overcrowded with papers. A large portion of the upper story is occupied by the Bureau of Engraving and Printing, the nature of the materials used largely increasing the liability to accident from fire. The machinery in this bureau is run by non-condensing steam-engines, the boilers for the supply of which are located in the basement of the building. Various chemicals and furnaces are used and required in the manufacture of the National currency. There is in the basement of this building a cabinet-shop and a carpenter's-shop, in which considerable quantities of lumber and other

combustible materials are kept. There is likewise on this floor a large store-room used for the accommodation of furniture, rubbish, &c., constantly accumulating, all of which is of a combustible nature.

Branches of the Second Auditor's Office occupy buildings located at No. 614 Seventeenth street and the corner of Seventeenth street and New York avenue, both of ordinary construction. The former is used for storage of files, and the latter for storage of large quantities of valuable files, and also as offices for clerks.

The rear room of the latter building is used as a carpenter-shop. There are no adequate facilities in this building for obtaining water in case of fire.

Custom-House, Georgetown, is of fire-proof construction.

Marine Hospital, East Washington, is of ordinary construction, with low mansard slate roof, the upper or flat portion being tinned.

The Light-House Board is located in the Republican Building, corner of Thirteenth street and Pennsylvania avenue. The lower and roof stories are used as a printing-office, the Light-House Board having offices in the floors between. The building is of fire-proof construction up to the second floor. Above this it is of ordinary construction.

The Supervising Surgeon-General Marine Hospital Service, has offices in an ordinary dwelling-house, No. 1421 G street northwest.

The Bureau of Statistics is located at No. 407 Fifteenth street northwest. A portion of the first floor is built of masonry; the remainder of the building is of ordinary construction, and has facilities for drawing water on each floor. In the building are two brick vaults.

The Coast Survey.—The main building occupied by this office is of fire-proof construction with the exception of the roof. The rear is of ordinary construction. There are good facilities throughout the entire building for obtaining water. This office likewise occupies an adjoining building in General Butler's block, the main building connected with it by a bridge. This annex is used for the storage of files, valuable instruments, and plates. It is fire-proof, having fire-proof shutters, and is subdivided with brick walls and iron doors. The roof is built of wood, but has a fire-proof ceiling immediately beneath, protecting the upper story.

WAR DEPARTMENT.

Executive Mansion.—This building has thick masonry for the exterior and partition walls, but the floors, stairs, and roof are of wood. A small quantity of paper and combustible material is stored in the attic.

War Department Building.—The basement and floor of the first story is of fire-proof construction, the remaining portion has brick walls, with floors, ceilings, and roof of wood. There is a steam-pump in the basement of the building, with hose-attachments provided for each floor. The War Department occupies premises at No. 620 Seventeenth street for printing, which building is of ordinary construction, with facilities for obtaining water on each floor.

Winder's Building is of fire-proof construction up to the upper story, where there is found an ordinary lathed and plastered ceiling and wooden roof. In this story, occupied by the Second Auditor, large quantities of files and papers of great value to the government are stored. There is a steam-pump in the building, and hose-attachments on each floor are being introduced. Adjoining and connected is the building containing the ordnance museum, of ordinary construction, brick walls, wooden floors and roof.

Office of Superintendent of Public Buildings and Grounds, and of New State, War, and Navy Department Building.—This office is located at the corner of Seventeenth and F streets northwest. The building is an ordinary dwelling-house, with brick walls, and contains only a small quantity of papers and other combustible materials. The Adjutant-General's Department occupies premises located at No. 612 Seventeenth street for storage of files; No. 616 Seventeenth street as a museum for flags and trophies; No. 618 Seventeenth street for printing and for files; No. 1704 G street for storage of files; No. 1705 G street for offices for clerks; No. 1725 F street, owned by the government, for a disbursing office, and for storage of valuable files; corner of Seventeenth street and Pennsylvania avenue, above the first floor, for clerk; Nos. 1707 and 1709 New York avenue for storage of valuable files. All of these buildings are of ordinary construction, the last two named being without lathing and plastering on ceilings. The first story of the building located at the corner of Seventeenth street and Pennsylvania avenue is used as a drug-store, and the building is without water facilities. The second, third, and fourth of the above named buildings have facilities for obtaining water on each floor.

The Signal Office occupies buildings Nos. 1719, 1721, and 1725 G street northwest, the first two containing valuable instruments, the latter being used for the storage of supplies. All of the buildings are of ordinary construction.

The Army Dispensary, located at No. 1733 G street, is an ordinary dwelling-house.

The Commissary-General's Office, No. 17 Madison Place, is an ordinary dwelling-house.

The Surgeon-General's Office, northwest corner of Fifteenth street and Pennsylvania avenue, adjoining the banking-house of Riggs & Co. The building is of ordinary construction, with heavy brick walls. In the yard just north of this building, and in close proximity, is a two-story frame-building, constructed by the United States, now used for storage.

Quartermaster-General's Office, southeast corner of Pennsylvania avenue and Fifteenth street. This building is of ordinary construction, and contains a large quantity of valuable papers. It is furnished with a steam-pump and has hose attachments on each floor.

Paymaster-General's Office, Reed's building, No. 1214 F street northwest. This building is an ordinary dwelling-house, and has water facilities. Valuable files belonging to the office are stored in the building.

Arsenal.—All the various buildings are of ordinary construction, brick walls and wooden floors and roof. Fire-plugs are located at different points in the grounds, and there is on the premises a steam fire-engine, though it is reported to be out of order.

The Commissary Store-house, on Monument lot, is an ordinary frame building, and contains no files. There is a hand-pump for furnishing water-supply.

Army Medical Museum.—The main building is constructed of non-combustible materials up to the attic floor; this floor and the roof are of wood. There is in the center a large well-hole, which would readily permit fire in the interior to follow up from story to story. The buildings adjoining on the north and south are used as offices and workshops, and are of ordinary construction. They are separated from the main building by iron doors. The buildings are provided with a steam-pump, with hose-attachments on each floor.

NAVY DEPARTMENT.

The east wing of the new State, War, and Navy Departments building is designed to accommodate the Navy Department permanently, and when completed will afford temporary accommodations for portions of the Navy and War Departments. This wing is now far advanced in its construction. It will be fire-proof throughout.

Old Navy Department Building.—The basement and floor of first story are of fire-proof construction. Above this the building is only of ordinary construction. There is a steam-pump in the basement, with hose-attachment on each floor, and abundance of water-supply.

Hydrographic Office, corner of New York avenue and Eighteenth street, is an ordinary dwelling-house, and has facilities for obtaining water on each floor.

Naval Observatory.—The buildings generally are of ordinary construction. Some slight attempt at protection against damage by fire has been made by sheathing with metal the rooms containing the transit and the large telescope, but this would afford no security in the event of the burning of adjacent buildings. The valuable library is without any adequate protection. There is a supply of water on the first floor only.

The Nautical Almanac Office is located at No. 807 Twenty-second street, in an ordinary dwelling-house.

Marine Barracks.—The buildings composing the barracks and officers' quarters are of various construction, some of them ordinary brick structures with wooden floors and roofs covered with slate, others with brick walls and shingled roof, and still others are only ordinary frame buildings, in which there is stored a portion of the early records of the Marine Corps. Fire-plugs have been put in different places on the premises.

Navy-Yard.—Most of the buildings in the navy-yard are of ordinary construction; brick walls with floors and roofs of wood. Some few of the shops have fire-proof roofs. The yard is supplied with fire-plugs, a large steam fire-engine and three hand engines, and the laboring force is drilled as a fire brigade.

POST-OFFICE DEPARTMENT.

The Post-Office Building is fire-proof up to the attic story, where a portion of the roof is of ordinary wood construction covered with copper. Under the fire-proof portions of the roof are found ordinary lath and plaster ceilings.

The Sixth Auditor's Office is located in this building and its files are both extensive and valuable.

Some wooden structures have been built in the court-yard adjoining the south side of the city post-office.

The Topographical Branch of the Post-Office Department is located on E street, between Ninth and Tenth; is an ordinary dwelling-house.

DEPARTMENT OF JUSTICE.

Attorney-General's Office, in Freedman's Bank building, Pennsylvania avenue. This building is substantially of fire-proof construction up to the upper story, where the ceiling and roof are of wood. There are facilities for drawing water on each floor.

City Hall.—The basement and floor of the first story of this building are fire-proof; above this it is of ordinary construction. In the upper story are contained all the land-records of the District of Columbia.

The Southern Claims Commission, in Hooe's building, No. 1330 F

street, is in the third story of a building of ordinary construction. There are stored in this building papers of considerable value, belonging to the files of the commission.

INTERIOR DEPARTMENT.

The Patent-Office Building is fire-proof up to the roof. The portion of the roof now remaining is of wood construction with fire-proof ceiling beneath. In the north wing some of the soffits of the brick arches have been covered with wood lathing and plastering in order to provide flat ceilings.

The Columbia Hospital is of ordinary construction, and has facilities for drawing water on each floor.

The Pension Office is located in the Shepherd building, corner of Twelfth street and Pennsylvania avenue. The building is constructed of non-combustible materials, with iron shutters upon exposed windows. The rear portion, used for storage of stationery, and as repair-shops, communicates directly with the main building. There are facilities for obtaining water on each floor.

Wright's Building, corner of Eighth and G streets, is of fire-proof construction up to the upper story, where the ceilings and roof are of wood.

Smithsonian Institution.—A large portion of the building is of fire-proof construction; the remainder is of ordinary construction.

The Columbia Armory Building, Armory Square, is of ordinary store-house construction, heavy brick walls, wood joists, no lathing and plastering on ceilings, wooden flooring, stairs, and roof. It is used for storage of articles presented to the United States, and now in custody of the Smithsonian Institution.

The Insane Asylum is of ordinary construction; has large tanks in the attic with steam-pumps and fire-plugs in the grounds.

Columbia Institute for Deaf and Dumb.—All the buildings, with the exception of the one now being built, are of ordinary construction. In the new building the corridors and stairways are of non-combustible materials, the remainder being of ordinary construction. Fire-plugs are located in the grounds.

The New Jail is of fire-proof construction, with the exception of the roof and upper portions of the hospital and chapel wings.

The Reform-School Buildings are of ordinary construction. There is a large tank in the attic of the main building, with hose-connections on each floor. The family building has water on first and second floors.

AGRICULTURAL DEPARTMENT.

The building is of ordinary construction, with the exception of the boiler-room in basement, which has a ceiling of iron beams and brick arches. Has fire-plugs in the yard and hose-attachments in first and second stories.

In the foregoing buildings described as "ordinary dwelling-houses" or of "ordinary construction" are structures with masonry, walls, joists, rafters, stairs, flooring, and sheathing of wood and ceilings of lath and plaster, the roofs being covered with slate, tin, or copper.

SPECIFIC RECOMMENDATIONS.

With a view to diminish the risks of fire in the several buildings, and the losses consequent upon the same, the commission respectfully recommends the following:

CAPITOL AND GOVERNMENT PRINTING OFFICE.—*Capitol.*—That the ceilings and those portions of the roof which are not fire-proof be removed and rebuilt of non-combustible materials; that iron galleries be substituted for the wooden ones now in the small library rooms adjoining the Senate and House Chambers; that the openings between the various files-rooms be supplied with fire-proof doors; and that the wooden cases containing the files and documents be removed and iron ones substituted therefor.

Government Printing Office.—It is impracticable to render this building fire-proof. There should be two additional standing water-mains, supplied with hose-attachments, on each story. Also, for the safety of the employés, there should be iron fire-escapes constructed at either end of the building. A liberal supply of water-buckets should be placed in different parts of the building, and all kept constantly filled.

TREASURY DEPARTMENT.—*Treasury Building.*—The combustible portion of the roof and the combustible ceilings over the eastern colonnade should be removed and fire-proof construction supplied. We would recommend that the manufacture of the national currency be provided for in some more suitable place, and that the materials stored in the carpenter and cabinet shops in the basement of the bulilding be reduced to a minimum quantity.

Coast Survey Building.—Fire-proof doors should be substituted for the thin sheet-iron ones separating the main from the rear building.

WAR DEPARTMENT.—*Building of State, War, and Navy Departments.*—This fire-proof building should be completed as rapidly as good workmanship will permit, and the extremely valuable archives relating to the military service, now stored mainly in buildings of a hazardous character, removed to it.

Winder's Building.—The upper ceiling and roof should be removed and rebuilt of fire-proof construction, and iron doors and iron shutters should be supplied to openings exposed to danger from exterior fires.

NAVY DEPARTMENT.—*Naval Observatory.*—The buildings are old and so much worn as not to be susceptible of being remodeled into fire-proof structures.

The preservation of the valuable instruments and documents in this observatory would seem to demand that a new fire-proof building should be constructed at an early day for the accommodation of the institution.

Marine Barracks.—A small fire-proof building should be constructed in which to store the files of the Marine Corps.

Navy-Yard.—It is recommended that from time to time, as portions of the workshops and storehouses require renewing, they be rebuilt of non-combustible materials.

POST-OFFICE DEPARTMENT.—*Post-Office Building.*—All the combustible ceilings in the attic and combustible portions of the roof should be removed and renewed with fire-proof materials. The frame structures in the open court should be replaced by non-combustible apartments.

DEPARTMENT OF JUSTICE.—*City Hall.*—The inconvenient arrangement and general character of this building would not in our judgment warrant the expenditure necessary to render it fire-proof, but we do earnestly recommend that the land-records of the District be removed to the fire-proof rooms in the basement, proper means being adopted to secure ventilation and prevent dampness; or that so much of the building be made fire-proof as will give security to the land-records and other valuable papers.

DEPARTMENT OF THE INTERIOR.—*Patent-Office Building.*—The existing portions of the roof should be removed and an entire new roof constructed in a thoroughly fire-proof manner. The room over the south portico now used for storage of valuable papers should be rebuilt of non-combustible materials.

Pension Office.—This building would be made more secure by the introduction of fire-proof doors between the main building and the annex.

Smithsonian Institution.—All the combustible materials used in the construction of the museum portion of the building should be removed, and the parts renewed of fire-proof construction, and the openings connecting with other parts of the building should be supplied with fire-proof doors.

AGRICULTURAL DEPARTMENT.—The floors, ceilings, and roof of this building should be removed, and renewed with fire-proof construction.

With reference to those rented buildings whose interior construction is mainly of wood no recommendations are made other than that they should be vacated as soon as possible; and in the mean time they should be supplied on each floor with a water-main, where the water-pressure renders this practicable, with water-buckets to be kept constantly filled, and with axes, and ladders for easy access to all parts of the buildings.

2. What, if anything, can be done, without further legislation, to insure greater security against loss or damage by fire.

Very little can be done without further legislation to insure greater security against fire. More stringent police regulations, with adequate apparatus, and the changes herein recommended, will contribute in a measure to this end; but the great danger is to be found in the structural character of the buildings themselves, and the changes necessary to remedy this can only be made after authorization by Congress.

In the opinion of the commission only fire-proof materials and fire-proof methods of construction should be permitted in important structures now being or hereafter to be built for public use.

3. What action by Congress, if any, should be recommended, with a view to place the public records now in said buildings beyond danger of destruction by fire.

It is respectfully recommended that Congress be asked to grant the authority to carry out such of the recommendations of this report as may meet the approval of the Executive.

4. To what extent said buildings, or any of them, are endangered by the character of their contents, and what can be done to remove this danger; and, in this connection, the commission will consider whether damage results from the use of any portion of said buildings for branches of the public service mechanical in their nature.

Generally the public buildings not of fire-proof construction, and used for office purposes, are much endangered by the character of their contents. The files cases and boxes, books, papers, &c., belonging to the several departments of the government, have accumulated to such an extent as to crowd the spaces provided for them; and a fire fairly under way would be difficult to control. Workshops of various kinds are also connected with some of the buildings, in which are kept materials of a combustible character, thus contributing to the causes of disaster.

In those buildings that have fire-proof construction the destruction of materials within, and the damage to the structure from fire, will depend mainly on the size of the apartment in which the fire originates, and the extent to which it is filled with combustible materials.

If the apartment is large and the amount of combustible materials within it large, great damage may be done to the walls and ceiling of this room, and possibly to the rooms immediately adjoining, but the building would be saved, and the fire would not be able to spread to any extent beyond the limits of the apartment in which it originated. It is

believed the danger to the buildings from their contents will be much decreased by following the recommendations contained in article sixth of this report.

In the Treasury building the operations of the Bureau of Engraving and Printing are conducted for the manufacture of the currency and various kinds of revenue-stamps. Unquestionably this work, with its necessary machinery, furnaces, chemicals, and appliances, is more or less hazardous, and in the opinion of the commission provision should be made at as early a day as practicable for the removal of this bureau from the Treasury building.

What provision, if any, should be made for the custody and safety of files not in constant use.

While in some of the departments there are files in constant use that date back to the earliest days of the government, there are in all the departments large numbers of papers no longer needed for constant reference that only add to the quantity of combustible material in the structures, and the consequent danger from fire. The number of papers is increasing rapidly, and in the consideration of the care and preservation of the files this commission has met with the suggestion that many of the papers could well be destroyed. After a careful examination of this question, we do not consider it advisable to recommend this course with any of the records, however unimportant they may appear. Every paper worthy at any time to be recorded and placed on the public files may be of value at some future time, either in a historical, biographical, or pecuniary way, to the citizen or the nation. Papers seemingly of the least importance have been connected with the proof of false demands against the government, and it is scarcely possible to arrive at a decision of what is important to be preserved and what is useless to be destroyed. We therefore recommend, for the relief of the overcrowded buildings, and in view of the rapid increase of the public records, that a fire-proof building of ample dimensions be constructed for the accommodation of the archives of the government no longer required for constant use. This structure should be built in the most approved and thoroughly fire-proof manner, with walls of brick, and so designed that additions can be made from time to time without impairing the general architectural features. Its location should be so remote from all other buildings as to place it beyond danger from exterior fires.

6. Such views and recommendations as may occur to you touching the general subject.

In addition to the special recommendations contained under section 1, the following general recommendations, that may be applicable to all the public buildings, are offered:

1st. That ample apparatus for extinguishing fires, such as water-mains, pumps, hose, ladders, axes, water-buckets constantly filled with water, be supplied upon each floor; that a thorough system of police and guard by day and night be established in each building; that all wood-work touching flues be removed, and that guards be used around all pipes, whether for smoke or for steam, wherever they pass through wood-work.

2d. The removal of all combustible shelving and the use in their stead of metal shelving, the files arranged upon them to be protected by metal doors or metal files-cases.

3d. The use in all rooms for storage purposes and in those which have not to be visited frequently of some electrical communicator, to be placed so that unusual degrees of heat may be signaled to the watch-

men; thus making known the fact of the presence of fire, should any occur in these apartments.

4th. The use of electrical recording-signals to be turned in by the watchmen at fixed intervals of time through the night and day from given stations in the building.

5th. The establishment of regulations in the several departments limiting the number of files to be stored in any apartment.

6th. That the large apartments and spaces devoted to files in the fire-proof structures be divided into moderately-sized compartments, so as to lessen the degrees of heat that would be generated by the combustion of the materials, and the consequent injury to the building and difficulty of subduing the conflagration.

7th. That, where practicable, all power steam-boilers be removed from the basements of the buildings to structures exterior to the main building.

In conclusion, this commission wish it to be understood that the buildings herein described as wholly or in part fire-proof are those built of thick masonry walls, with stone or iron stairways, having the stories separated by groined arches of brick, or by arches of the same material resting on iron-beams, in which wood is used only for sash and doors, and in some cases for floors laid on the brick arches.

It is not claimed that these are absolutely fire-proof, nor do they know of any attainable construction which will resist, without injury, high degrees of heat, such as might be generated by overcrowding large rooms with combustible materials. They are, however, of the opinion that, with the measures of caution herein suggested, the public records and buildings will be well protected from loss or damage by fire.

THOMAS LINCOLN CASEY,
Lieutenant Colonel, Corps of Engineers.
JAMES G. HILL,
Supervising Architect Treasury Department.
EDWARD CLARK,
Architect United States Capitol.

EXECUTIVE MANSION, *September* 27, 1877.

GENTLEMEN: You are hereby appointed a commission to consider and report upon the condition of all public buildings in Washington, including those in process of construction or repair. You are instructed to proceed, without unnecessary delay, to make a personal and thorough examination of all said buildings, and report as follows:

1. The condition of each of said buildings as to security against fire; and whether any, and, if any, which of them may be considered fire-proof.

2. What, if anything, can be done without further legislation to insure greater security against loss or damage by fire.

3. What action by Congress, if any, should be recommended with a view to place the public records now in said buildings beyond danger of destruction by fire.

4. To what extent said buildings, or any of them, are endangered by the character of their contents, and what can be done to remove this danger. And in this connection the commission will consider whether damage results from the use of any portion of said buildings for branches of the public service mechanical in their nature.

5. What provision, if any, should be made for the custody and safety of files not in constant use.

6. Such views and recommendations as may occur to you touching the general subject.

R. B. HAYES.

To Lieut. Col. THOMAS L. CASEY,
Corps of Engineers,
J. G. HILL,
Architect of the Treasury, and
EDWARD CLARK,
Architect of the Capitol Extension.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 11.

REPAVEMENT OF PENNSYLVANIA AVENUE.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

Report of Commissioners upon the repavement of Pennsylvania avenue.

DECEMBER 10, 1877.—Referred to the Committee on the District of Columbia and ordered to be printed.

To the Senate and House of Representatives:

I have the honor to transmit herewith an additional report (and accompanying statement) addressed to me by the commissioners appointed under the act of Congress approved July 19, 1876, authorizing the repavement of that part of Pennsylvania avenue lying between the Treasury Department and the Capitol grounds.

R. B. HAYES.

EXECUTIVE MANSION,
December 10, 1877.

OFFICE OF COMMISSION FOR
REPAVING PENNSYLVANIA AVENUE,
Washington, December 3, 1877.

SIR: The undersigned commissioners, appointed by the act of Congress approved July 19, 1876, authorizing the repavement of that part of Pennsylvania avenue lying between the Treasury Department and the Capitol grounds, have the honor to submit the following report upon the work committed to their charge.

In a previous report, dated December 20, 1876, which was submitted by the President to both Houses of Congress, descriptions were given of the two kinds of pavement adopted by the commission, and to it reference is respectfully made for the details. In general terms, these pavements may be described as composed of a base or foundation of hydraulic concrete 8 inches thick, covered with a layer of Neuchatel asphalt rock, ground and heated, for that part of the avenue between the Capitol grounds and Sixth street; and of a bituminous cement, composed of Trinidad asphaltum and sand, for the part between the east side of Sixth street and the Treasury Department.

The Neuchatel pavement was completed and accepted on the 18th of May last, and the Trinidad on the 19th of the same month; at which dates commence the three years during which the pavements are to be kept in repair by the contractors.

Final statements showing the total quantity of pavement laid, the total cost of same, and the distribution of the cost against the United States, the District of Columbia, and private property, according to the provisions of the act of Congress, were furnished, with letters of June 1, last, to the Hon. Secretary of the Treasury and the Commissioners of the District of Columbia. Copies of those statements are appended to this report, from which it appears that the total cost per yard of the pavement is $4.06, nearly.

In addition to the above, there has been expended up to this time, from the $6,000 appropriated by the 9th section of said act for defraying the necessary expenses of the commission, the sum of $2,682.17, which has been applied to the traveling expenses of the commissioners and employés, clerk-hire and stationery, and other expenses connected with the office; leaving still available the sum of $3,317.83. As, by the provisions of the act, the functions of the commissioners are continued till the end of the three years during which the contractors are to keep the pavement in repair, there may be further necessary expenses for which the above balance will be available.

Respectfully submitted,

H. G. WRIGHT,
Brevet Major-General, U. S. A.,
Q. A. GILLMORE,
Brevet Major-General, U. S. A.,
EDWARD CLARK,
Commissioners.

To the PRESIDENT OF THE UNITED STATES,
Washington, D. C.

Final statement relating to the repaving of Pennsylvania avenue.

The United States in account with Pennsylvania avenue, Dr.

For material furnished and pavement laid complete upon Pennsylvania avenue, as follows, viz:	
For 78.521$\frac{08}{100}$ superficial yards pavement laid, complete, at $3.78 per superficial yard	$296,809 68
For 14,691$\frac{16}{100}$ linear feet 5-inch curb, set along street-railway tracks, at 70 cents per linear foot	10,283 81
For 1,991½ superficial yards hydraulic concrete, laid 1 inch below 8-inch base, at 12 cents per superficial yard	238 98
For 2,580 superficial yards bituminous concrete, laid at 25 cents per yard additional price	645 00
For 407$\frac{21}{100}$ superficial yards Neuchatel rock-surface relaid (due to changed grade), at $2.86 per superficial yard	1,164 62
For 19$\frac{9}{10}$ superficial yards of Grahamite surface relaid (due to changed grade), at $2.58 per superficial yard	51 34
For underpinning 14,631$\frac{82}{100}$ linear feet street-railway tracks, at .0774½ cents per foot	1,133 23
For dressing street-curb, north side of avenue, between Ninth and Tenth streets	25 00
Total of final estimates of Neuchatel and Grahamite contracts	310,351 66

To which add amounts of vouchers drawn by commission, viz:	
For J. J. Burrows, November 9 and December 12, 1876, March 24 and May 26, 1877	2,318 04
For printing proposals and blanks (vouchers)	349 80
For pay-rolls, superintendence, engineering, inspection, &c	5,673 00
For traveling expenses of superintendent	32 93
For repairing steel tape $4, and one new steel tape $10	14 00
Total cost of pavement	318,739 43

Final statement showing total quantity of pavement laid on Pennsylvania avenue and the total cost of the same; also the quantities and values of the same chargeable to the several accounts.

Total pavement, superficial yards	78,521.08
Total cost	$318,739 43

Chargeable as follows, viz:

	Superficial yards.	Proportion of cost.
To street-railway companies	3,905.76	$15,854 59
To owners of private property	12,510.77	50,784 78
To the District of Columbia	25,394.255	103,082 52
To the United States	36,710.295	149,017 54
Total, as above	78,521.08	318,739 43
Final distribution of quantities and cost chargeable to—		
The Capitol and North O Street Railway Company	615.235	2,497 41
The Metropolitan Railway Company	283.28	1,149 91
The Washington and Georgetown Railway Company	3,007.24	12,207 27
Private property, 7,795$\frac{64}{100}$ linear feet frontage	12,510.775	50,784 78
The District of Columbia, 264$\frac{69}{100}$ linear feet frontage, market reservation	1,274.35	5,172 95
Proportion of avenues, intersection, and alleys	24,119.905	97,909 57
The United States, being frontage of reservations, Treasury grounds, Botanical Gardens, and west grounds of the Capitol	12,590.30	51,107 98
Proportion of avenue intersections and alleys	24,119.905	97,909 57
Total	78,521.08	318,739 43

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 12.

GEORGE A. ARMES.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Report of the Adjutant-General in the case of George A. Armes.

DECEMBER 10, 1877.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,
Washington City, December 8, 1877.

The Secretary of War has the honor to acknowledge the receipt of a letter of the 28th ultimo from Hon. Levi Maish, of the Committee on Military Affairs, inclosing House bill No. 1642, "to authorize the restoration of George A. Armes to the rank of captain," and inquiring if there is, in addition to the records of the court-martial trial of Bvt. Maj. George A. Armes, any evidence on file in the War Department that should prevent the committee from reporting this bill favorably.

In reply, attention is invited to the inclosed reports of the Adjutant-General, dated the 5th instant, and of the Judge-Advocate-General, dated the 7th instant. The copy of the report of the Judge-Advocate-General of January 31, 1876, to which he refers in his present report, was transmitted to the House for the information of the Committee on Military Affairs on the 3d February, 1876.

The case is fully presented in the report of the Judge-Advocate-General of January 31, 1876, and this department has nothing further to submit.

Respectfully submitted.

GEO. W. McCRARY,
Secretary of War.

The SPEAKER
Of the House of Representatives.

[Copy indorsements on 9964, War Department, 1877.]

ADJUTANT-GENERAL'S OFFICE,
December 5, 1877.

Respectfully returned to the Secretary of War.

Capt. George A. Armes, 10th Cavalry, was dismissed, by sentence of court-martial, June 7, 1870.

Since the dismissal of Captain Armes, his claim for restoration has frequently been before Congress, and there have been several reports in his case by the Military Committees of both Houses. His claim for restoration is based on the allegation that the sentence was unwarranted and unjust. The Judge-Advocate-General has had the case under consideration at different times, and his reports on its merits have been made direct to the Secretary of War, and are not on file in this office. In view of this fact, and also of the fact that the report now called for would properly take into consideration the facts shown by the record of trial, filed in the office of the Judge-Advocate General, it is suggested that this paper, together with all the others on file, be referred to that officer.

Under this act a claim would probably be set up for pay during all the time Captain Armes has been out of service if it should become law.

E. D. TOWNSEND,
Adjutant-General.

BUREAU OF MILITARY JUSTICE,
December 7, 1877.

Respectfully returned to the Secretary of War, with copy of an extended report of this bureau in this case, dated January 31, 1876, containing a full history of the case, with the views of the Judge-Advocate-General in regard to the merits of the application for restoration and the law governing the same. I can now add nothing to this report, except to repeat that the only mode known to the law (see the act of July 20, 1868, entitled as *declaratory* of the law on the subject, now incorporated in section 1228, Revised Statutes), of restoring to the Army an officer duly dismissed by a court-martian, is by a new appointment by the President, confirmed by the Senate, and that the proceeding contemplated by the within bill would, in my opinion, be in contravention of that section, as well as of Article II, section 2, paragraph 2, of the Constitution, and of the general laws regulating appointments to the Army.

W. M. DUNN,
Judge-Advocate-General.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 13.

DEFICIENCY FOR THE CONTINGENT EXPENSES OF THE GENERAL LAND OFFICE.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

CONCERNING

Deficiency for contingent expenses of the General Land Office.

DECEMBER 10, 1877.—Referred to the Committee on Appropriations and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, December 10, 1877.

SIR: I have the honor to inclose herewith a communication from the Commissioner of the General Land Office, relative to a deficiency in the appropriation for contingent expenses of that office.

I fully concur in the recommendations which he makes, and respectfully request that they be submitted to the Committee on Appropriations at the earliest practicable moment.

Very respectfully, &c.,

C. SCHURZ,
Secretary of the Interior.

HON. SAMUEL J. RANDALL,
Speaker House of Representatives.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., December 8, 1877.

SIR: I have the honor to invite attention to the following:

In the act of March 3, 1877, making appropriations for the legislative, executive, and judicial expenses of the government for the year ending June 30, 1878, and for other purposes, appropriation is made as follows: "For diagrams, furniture, and repairs of the same, miscellaneous items, including two of the city newspapers to be filed, bound, and preserved for the use of the office, for the actual expenses of clerks detailed to

investigate fraudulent land entries, trespasses on the public lands, and cases of official misconduct, and for advertising and telegraphing, twenty-one thousand five hundred dollars." (19 Statutes, p. 313.) It will be noticed that this appropriation is applicable for the payment of the actual expenses of clerks detailed to investigate trespasses upon the public lands.

During the past year information was before this office that rendered it evident that depredations upon the public timber of the United States were universal, and that millions of dollars' worth of public timber was annually being cut and removed from the public lands in every part of the United States and Territories where such timber existed. To meet expenses of suppressing depredations on timber upon public lands, Congress has for several years made an annual appropriation of five thousand dollars. (See 19 Statutes at Large, p. 349.)

With this small amount it was impossible to operate to any great extent toward suppressing these depredations. I therefore deemed it proper, in view of the vast extent of the trespasses and the very great loss to the government thereby, to use a considerable sum from the appropriation which authorized the payment of expenses of clerks detailed to investigate in regard to trespasses upon the public lands, and have done so, so that, with other legitimate uses, and the extraordinary expense occasioned by the fire, which would of itself be sufficient to consume the appropriation, this fund is, at this date in the fiscal year, about exhausted.

The result of these operations has been to obtain accurate testimony showing facts in regard to these depredations which will, in suits now pending, insure the recovery to the government of at least $100,000, and in those that may be instituted several hundred thousand dollars more.

In order that this work of investigation for the suppression of depredations may be continued, and to enable the payment of other legitimate contingent expenses of the office, I respectfully recommend that an immediate appropriation be made of $20,000 to supply the deficiency in this fund.

In the act of Congress approved March 3, 1877, entitled "An act making appropriations for sundry civil expenses of the government for the fiscal year ending June 30, 1878, and for other purposes," appropriation is made as follows: "For the necessary clerical force to enable the Commissioner of the General Land Office to carry into effect the act of Congress approved June 22, 1876, for bringing into market the public lands in the States of Arkansas, Louisiana, Mississippi, Alabama, and Florida, ten thousand dollars, to be available from and after the passage of this act." (19 Statutes, p. 357.)

A force of competent clerks has been at work until the present time, and has been paid from that appropriation; but it is now exhausted, and unless further appropriation is made for the purpose this work of restoring the public lands in the States named will have to cease, and the clerks employed for that purpose will have to be discharged.

Aside from the urgent necessity for this work to be performed, in order that the lands referred to may be offered for sale at an early day, is the fact that these clerks have become familiar with their duties, and if an appropriation could be made so that they could be continued in the service, there will be a great saving to the United States; or, otherwise, if they have to be discharged and lapse of time occur before appropriation is made to enable this work to be resumed, then, even if the services of many of these same persons should again become available, they will have lost their familiarity with the work, which requires some

little time to acquire, and it would be probable that many new persons would have to be employed who would have to be educated to their duties.

I, therefore, earnestly recommend that the sum of $25,000 be appropriated to enable the continuance of this work. This sum will be sufficient to defray the expenses of the persons employed until regular appropriation bills can be considered by Congress, in which it is hoped a sufficient sum to fully complete the work will be provided for.

About the time that the additional labor of restoring the lands to sale in the Southern States was imposed upon this office by act of Congress, the clerical force was by law decreased more than 30 per cent., and is now less than it has been at any time in a quarter of a century, and unless provision is made to enable the office to retain all the force now employed, the public business must fall greatly in arrears during the session of Congress, when it requires nearly the whole force to meet the demands of correspondence with members of that body.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,
Commissioner.

Hon. C. SHURZ,
Secretary of the Interior.

○

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 14.

SITE FOR A MILITARY POST IN TEXAS.

LETTER

FROM

THE SECRETARY OF WAR,

RELATIVE TO

The donation of land as a site for a military post in Texas.

DECEMBER 10, 1877.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,
December 6, 1877.

The Secretary of War has the honor to report to the House of Representatives that the San Felipe Agricultural, Manufacturing, and Irrigation Company, of the county of Kinney, State of Texas, has executed a deed donating to the United States Government two hundred acres of land in Kinney County, as a site for a military post.

The military authorities recommend the site as suitable and necessary for military purposes; but, inasmuch as section 3736 of the Revised Statutes provides that "no land shall be purchased on account of the United States, except under a law authorizing such purchase," a special act of Congress is necessary to authorize the acceptance of the deed in question; the enactment of such a law is, therefore, respectfully recommended.

Within the last few years there have been several cases where the establishment of a military post became necessary, and a donation of the necessary land was offered to the government, but, by reason of the statute quoted above, this department could take no action until the matter was reported to Congress and a special act passed. In such cases the restriction imposed by the statute appears to be unnecessary, in view of the fact that no expense is incurred by the government, and only a title reported perfect by the Attorney-General is accepted. It is, therefore, respectfully recommended that section 3736, Revised Statutes, be amended so as to authorize the acceptance by the Secretary of War of an absolute gift or grant of land, provided the same is necessary for military purposes, and the gift is unencumbered with provisions.

Respectfully submitted.

GEO. W. McCRARY,
Secretary of War.

The SPEAKER *of the House of Representatives.*

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 15.

REPAIRS ON THE SPEIDEN BUILDING.

LETTER

FROM

THE SECRETARY OF WAR,

RECOMMENDING

An appropriation to repair the "Speiden Building."

DECEMBER 10, 1877.—Referred to the Committee on Appropriations and ordered to be printed.

WAR DEPARTMENT, WASHINGTON CITY,
December 7, 1877.

The Secretary of War has the honor to transmit a letter from the Adjutant-General of the Army, dated 17th October, 1877, to the House of Representatives, for the information of the Committee on Appropriations, with the recommendation that the amounts therein named (seventy-five dollars for the current fiscal year, and one hundred and fifty dollars for the fiscal year ending June 30, 1879) be appropriated for the purpose of keeping in repair the "Speiden Building," No. 1725 F street, northwest.

Respectfully submitted.

GEO. W. MCCRARY,
Secretary of War.

To the SPEAKER
of the House of Representatives.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., October 17, 1877.

SIR: I have the honor to state that a request submitted, under date of the 5th instant, to the Quartermaster-General, United States Army, for certain slight repairs (insertion of window-panes) to the "Speiden Building," No. 1725 F street, northwest, has been returned by that officer by indorsement expressing doubt as to the legality of expending quartermaster's funds upon said building, and the belief that the repairs thereto should be paid for from the contingent fund of the office by which it is occupied.

The building named was purchased pursuant to an act of Congress, approved June 23, 1874, making appropriation for its purchase (chap. 455, first session Forty-third Congress), and, although it has since been placed in good repair by the Quartermaster's Department, I concur in the views of the Quartermaster-General that the expenses of keeping it in repair should not be borne from the funds of that department; nor has this office funds applicable.

Provision should be made for keeping the building in proper repair, and I have the honor, therefore, to recommend that estimates of appropriation for that purpose be submitted to Congress, in the sum of seventy-five (75) dollars for the current fiscal year, and one hundred and fifty (150) dollars for the fiscal year ending June 30, 1879.

The building being in good condition at present, the sums named are deemed sufficient to cover the expense of all repairs that may be required during the current and ensuing fiscal years.

I have the honor to be, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Adjutant-General.

To the honorable, the SECRETARY OF WAR.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 16.

LIST OF CLERKS IN THE WAR DEPARTMENT.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

A list of the clerks employed in the War Department.

DECEMBER 10, 1877.—Referred to the Committee on Appropriations and ordered to be printed.

WAR DEPARTMENT,
Washington City, December 8, 1877.

The Secretary of War has the honor to transmit to Congress, in compliance with section 194 of the Revised Statutes of the United States, the accompanying reports of the clerks and others employed in the respective bureaus of the War Department during the year 1877, and to respectfully state that they have all been usefully employed, and the services of none of them can be dispensed with without detriment to the public service.

Respectfully submitted.

GEO. W. McCRARY,
Secretary of War.

The SPEAKER *of the House of Representatives*

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the Office of the Secretary of War from December 1, 1876, *to November* 30, 1877.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CHIEF CLERK.					
1	H. T. Crosby	$2,500	Dec. 1, 1876	Nov. 30, 1877	$2,500 00	Pennsylvania.
	DISBURSING CLERK.					
2	E. M. Lawton	2,000	Dec. 1, 1876	Nov. 30, 1877	2,000 00	Dist. Columbia.
	CHIEFS OF DIVISIONS.					
3	John Tweedale	1,800	Dec. 1, 1876	Nov. 30, 1877	1,800 00	Pennsylvania.
4	Samuel Hodgkins*	.....	.....do.....	Mar. 13, 1877	510 00	Army.
		1,800	Mar. 14, 1877	Nov. 30, 1877	1,290 00	
					1,800 00	

*Promoted from class 4.

Statement showing the names, compensation, &c., of clerks, messengers, &c.—Continued.

No.	Names.	Annual salary.	Period of service. From—	Period of service. To—	Amount received.	Residence when appointed.
	CLASS 4.					
5	Robbins Little	$1,800	Dec. 1, 1876	Nov. 30, 1877	$1,800 00	Rhode Island.
6	L. W. Tolman	1,800	do	do	1,800 00	Massachusetts.
7	R. Duryee	1,800	do	do	1,800 00	Connecticut.
8	C. H. Carrington	1,800	do	do	1,800 00	Ohio.
9	W. W. Gelatt	1,800	Mar. 14, 1877	do	1,290 00	Iowa.
10	Joseph Wall*	.....	Dec. 1, 1876	Apr. 30, 1877	665 87	Massachusetts.
		1,800	May 1, 1877	Nov. 30, 1877	1,051 65	
					1,717 52	
	CLASS 3.					
11	W. B. Lee	1,600	Dec. 1, 1876	Nov. 30, 1877	1,600 00	Massachusetts.
12	J. H. Rathbone	1,600	do	do	1,600 00	New York.
13	E. W. P. Smith	1,600	do	do	1,600 00	Indiana.
14	Charles R. Fosdick†	.....	do	Apr. 30, 1877	583 38	Ohio.
		1,600	May 1, 1877	Nov. 30, 1877	934 13	
					1,517 51	
	CLASS 2.					
15	C. Bankes Brookes	1,400	Dec. 1, 1876	Nov. 30, 1877	1,400 00	Army.
16	Sydney E. Smith	1,400	do	do	1,400 00	Dist. Columbia.
17	J. A. Randall	1,400	do	do	1,400 00	New York.
18	Ross Cunningham‡	.....	do	Apr. 30, 1877	498 90	Kansas.
		1,400	May 1, 1877	Nov. 30, 1877	816 62	
					1,315 52	
	CLASS 1.					
19	M. P. King	1,200	Dec. 1, 1876	Nov. 30, 1877	1,200 00	Dist. Columbia.
20	P. O'Hagan	1,200	do	do	1,200 00	Do.
21	H. C. Biddle	1,200	do	do	1,200 00	Virginia.
22	Louis Koerth	1,200	do	do	1,200 00	Army.
23	N. H. Stevens	1,200	do	do	1,200 00	New York.
24	C. B. Tanner	1,200	do	do	1,200 00	Pennsylvania.
25	A. H. Morrison	1,200	do	do	1,200 00	Missouri.
26	H. C. Rutter	1,200	do	do	1,200 00	Ohio.
27	Thomas M. Reed	1,200	do	do	1,200 00	New Jersey.
28	Charles E. Illsley	1,200	do	do	1,200 00	Oregon.
29	Frank M. Guild	1,200	do	do	1,200 00	Ohio.
30	J. P. Hodges	1,200	June 7, 1877	do	579 12	Iowa.
	MESSENGERS.					
31	W. S. Dupee	840	Dec. 1, 1876	Nov. 30, 1877	840 00	Kentucky.
32	W. C. Taylor	840	do	do	840 00	Dist. Columbia.
33	J. H. Stewart	840	do	do	840 00	Maryland.
34	G. C. Thomas	840	do	do	840 00	Dist. Columbia.
35	D. Cranmer	840	do	do	840 00	New York.
36	R. J. Squier	840	do	do	840 00	Connecticut.
37	William C. Costin	840	do	do	840 00	Dist. Columbia.
38	George Winters	840	July 1, 1877	do	350 00	Iowa.
	LABORERS.					
39	Thomas Irwin, jr	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.
40	E. Stannard	720	do	do	720 00	Do.
41	Samuel R. Riggles	720	do	do	720 00	Do.
42	Henry D. Burwell	720	do	do	720 00	Do.
43	M. C. Leonard	720	do	do	720 00	Army.
44	James A. Roche	720	do	do	720 00	Dist. Columbia.
45	Daniel Leonard	720	Feb. 2, 1877	do	596 00	Do.
	WATCHMEN.					
46	Patrick Allen	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.
47	Reuben Weiss	720	do	do	720 00	Pennsylvania.
48	P. Maloney	720	do	do	720 00	Arkansas.
49	Thomas Gooley	720	do	do	720 00	Dist. Columbia.
50	W. L. Parvin	720	do	do	720 00	Iowa.
51	W. A. Luce	720	do	do	720 00	Maine.

*Promoted from class 3. †Promoted from class 2. ‡Promoted from class 1.

Statement showing the names, compensation, &c., of clerks, messengers, &c.—Continued.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	REBEL ARCHIVES.					
52	A. P. Tasker	$1,600	Dec. 1, 1876	Nov. 30, 1877	$1,600 00	New Hampshire.
53	C. F. Davis	1,400	do	do	1,400 00	Michigan.
54	R. E. Moore	1,200	do	do	1,200 00	Do.
55	Christopher Mead	1,200	do	do	1,200 00	Massachusetts.
56	Fred. G. Calvert	600	July 1, 1877	do	250 00	Maryland.
	War Department building.					
	SUPERINTENDENT.					
57	H. T. Crosby	250	Dec. 1, 1876	Nov. 30, 1877	250 00	Pennsylvania.
	ENGINEER.					
58	M. R. Thorp*	.....	Dec. 1, 1876	June 30, 1877	818 00	Ohio.
		1,200	July 1, 1877	Nov. 30, 1877	500 00	
					1,318 00	
	WATCHMEN.					
59	Wm. H. Brooks	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Maryland.
60	Stephen Senter	720	do	do	720 00	Vermont.
61	J. B. Haliday	720	do	do	720 00	Dist. Columbia.
62	Michael Mooney	720	do	do	720 00	Do.
	LABORERS.					
63	C. A. Payton	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Virginia.
64	D. Howe	720	Dec. 19, 1876	do	685 43	Dist. Columbia.

*Pay reduced by law.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the Office of the Adjutant-General from December 1, 1876, to November 30, 1877.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CHIEF CLERK.					
1	R. P. Thian	$2,000	Dec. 1, 1876	Nov. 30, 1877	$2,000 00	New York.
	CLASS 4.					
2	John C. Hesse	1,800	Dec. 1, 1876	Nov. 30, 1877	1,800 00	Army.
3	E. A. Woodward	1,800	do	do	1,800 00	New York.
4	Max Bock	1,800	do	do	1,800 00	Army.
5	A. L. Morris	1,800	do	do	1,800 00	Do.
6	William J. Armstrong	1,800	do	do	1,800 00	Pennsylvania.
7	H. S. Brinkerhoff	1,800	do	do	1,800 00	New York.
8	H. Douglass	1,800	do	do	1,800 00	Army.
9	John D. Sabine	1,800	do	do	1,800 00	Massachusetts.
10	D. E. Holmes	1,800	do	do	1,800 00	West Virginia.
11	Benjamin Engel	1,800	do	do	1,800 00	Army.
12	C. W. Shelton	1,800	do	do	1,800 00	Massachusetts.
	CLASS 3.					
13	Joseph S. McCoy	1,600	Dec. 1, 1876	Nov. 30, 1877	1,600 00	New York.
14	Charles Brown	1,600	do	do	1,600 00	Army.
15	George E. Loweree	1,600	do	do	1,600 00	Maryland.
16	J. J. Dermody	1,600	do	do	1,600 00	Ohio.
17	L. J. Bryan	1,600	do	do	1,600 00	New York.
18	B. F. Wilkins	1,600	do	do	1,600 00	Vermont.
19	H. A. Kohr	1,600	do	do	1,600 00	Dist. Columbia.
20	Eugere Gaither	1,600	do	do	1,600 00	Do.
21	George W. Pratt	1,600	do	do	1,600 00	Maine.
22	H. C. Wood	1,600	do	do	1,600 00	Kentucky.

Statement showing the names, compensation, &c., of clerks, messengers, &c.—Continued.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CLASS 3—Continued.					
23	Richard J. Blakelock	$1,600	Dec. 1, 1876	Nov. 30, 1877	$1,600 00	New York.
24	J. W. Kirkley	1,600	do	do	1,600 00	Maryland.
25	George W. Salter	1,600	do	do	1,600 00	New York.
26	O. W. Longan	1,600	do	do	1,600 00	Pennsylvania.
27	J. H. Jochum	1,600	do	do	1,600 00	New York.
28	H. Ellerbrook	1,600	do	do	1,600 00	Army.
29	F. H. Stafford	1,600	do	do	1,600 00	New York.
	CLASS 2.					
30	William Anderson	1,400	Dec. 1, 1876	Nov. 30, 1877	1,400 00	New York.
31	F. J. Gramlich	1,400	do	do	1,400 00	Pennsylvania.
32	J. M. Harmon	1,400	do	do	1,400 00	Massachusetts.
33	J. William Palmer	1,400	do	do	1,400 00	Minnesota.
34	W. C. Kelly	1,400	do	do	1,400 00	New York.
35	George W. McKee	1,400	do	do	1,400 00	Pennsylvania.
36	John Cameron	1,400	do	do	1,400 00	Dist. Columbia.
37	J. L. Robertson	1,400	do	do	1,400 00	New Jersey.
38	John M. Keogh	1,400	do	do	1,400 00	New York.
39	William C. Doores	1,400	do	do	1,400 00	Pennsylvania.
40	Thomas Haslam	1,400	do	do	1,400 00	Do.
41	Charles C. Meade	1,400	do	do	1,400 00	Maryland.
42	J. S. Miller, jr	1,400	do	do	1,400 00	Pennsylvania.
43	Denis Maher	1,400	do	do	1,400 00	New York.
44	Thomas H. Evans	1,400	do	do	1,400 00	Do.
45	F. H. Smith	1,400	do	do	1,400 00	Wisconsin.
46	G. A. Brandt	1,400	do	do	1,400 00	Dist. Columbia.
47	C. E. Davenport	1,400	do	do	1,400 00	New York.
48	Edmond Cotterill	1,400	do	do	1,400 00	Army.
49	J. R. Dickson	1,400	do	do	1,400 00	New York.
50	F. B. Miller	1,400	do	do	1,400 00	Pennsylvania.
51	A. R. Tichenor	1,400	do	do	1,400 00	Ohio.
52	William N. Peck	1,400	do	do	1,400 00	New York.
53	George Q. Allen	1,400	do	do	1,400 00	Pennsylvania.
54	John McCarthy	1,400	do	do	1,400 00	New York.
55	Charles F. Keefer	1,400	do	do	1,400 00	Do.
56	F. B. Heitman	1,400	do	do	1,400 00	Ohio.
57	J. R. Gibson	1,400	do	do	1,400 00	Missouri.
58	George W. Haulenbeck	1,400	do	do	1,400 00	New Jersey.
59	John Bingham	1,400	do	do	1,400 00	Pennsylvania.
60	John Bussius	1,400	do	do	1,400 00	Michigan.
61	Hy. E. Scott	1,400	do	do	1,400 00	New York.
62	George W. Nagle	1,400	do	do	1,400 00	Pennsylvania.
63	F. T. Wilson	1,400	do	do	1,400 00	Massachusetts.
64	W. J. Clendenen	1,400	do	do	1,400 00	Maryland.
65	Francis Brintnall	1,400	do	do	1,400 00	Ohio.
66	B. F. Cole	1,400	do	do	1,400 00	New York.
67	J. C. Allen	1,400	do	do	1,400 00	Wisconsin.
68	J. W. Brown	1,400	do	do	1,400 00	Maine.
69	William A. André	1,400	do	do	1,400 00	Maryland.
70	Benjamin F. Miller	1,400	do	do	1,400 00	New York.
	CLASS 1.					
71	B. R. Ross	1,200	Dec. 1, 1876	Nov. 30, 1877	1,200 00	Dist. Columbia.
72	Henry Morris	1,200	do	do	1,200 00	Delaware.
73	A. S. Vose	1,200	do	do	1,200 00	Ohio.
74	Charles E. Connor	1,200	do	do	1,200 00	New Jersey.
75	John G. Brown	1,200	do	do	1,200 00	Dist. Columbia.
76	E. H. Spang	1,200	do	do	1,200 00	Pennsylvania.
77	E. H. Atkins	1,200	do	do	1,200 00	Connecticut.
78	D. E. Knapp	1,200	do	do	1,200 00	New York.
79	Charles P. Miller, jr	1,200	do	do	1,200 00	Pennsylvania.
80	Richard O'Dowd	1,200	do	do	1,200 00	New York.
81	Francis Dalton	1,200	do	do	1,200 00	Army.
82	Christian Anderson	1,200	do	do	1,200 00	Pennsylvania.
83	Florence Donohue	1,200	do	do	1,200 00	Massachusetts
84	G. W. Babcock	1,200	do	do	1,200 00	New York.
85	Frank McGlathery	1,200	do	do	1,200 00	Pennsylvania.
86	Thomas Wilson	1,200	do	do	1,200 00	New York.
87	James P. Townsend	1,200	do	do	1,200 00	Massachusetts.
88	A. M. Evans	1,200	do	do	1,200 00	Pennsylvania.
89	Stephen Bates	1,200	do	do	1,200 00	Massachusetts.
90	A. C. Ronne	1,200	do	do	1,200 00	Dist. Columbia.
91	C. C. Ellis	1,200	do	do	1,200 00	New York.
92	H. C. Porter	1,200	do	do	1,200 00	Do.

Statement showing the names, compensation, &c., of clerks, messengers, &c.—Continued.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CLASS 1—Continued.					
93	W. H. B. Kittson	$1,200	Dec. 1, 1876	Nov. 30, 1877	$1,200 00	Dist. Columbia.
94	Benjamin F. Evans	1,200	do	do	1,200 00	Do.
95	Jesse W. Lee, jr	1,200	do	do	1,200 00	Maryland.
96	T. B. Nolan	1,200	do	do	1,200 00	Pennsylvania.
97	A. Hartenstein	1,200	do	do	1,200 00	Army.
98	J. W. Webb	1,200	do	do	1,200 00	New York.
99	M. M. Parker	1,200	do	do	1,200 00	Vermont.
100	Samuel Houghton	1,200	do	do	1,200 00	Michigan.
101	J. W. Wallace	1,200	do	do	1,200 00	Massachusetts.
102	John J. Meding, jr	1,200	do	do	1,200 00	New York.
103	George E. Harwood	1,200	do	do	1,200 00	Do.
104	H. C. Thomas	1,200	do	do	1,200 00	Maryland.
105	William B. Douglass	1,200	do	do	1,200 00	Connecticut.
106	Hugh Masterson	1,200	do	do	1,200 00	Do.
107	William P. Smith	1,200	do	do	1,200 00	Dist. Columbia.
108	Thomas Broderick	1,200	do	do	1,200 00	New York.
109	Clifton Lowe	1,200	do	do	1,200 00	Iowa.
110	Frank Eichelberger	1,200	do	do	1,200 00	Dist. Columbia.
111	William Griffin	1,200	do	do	1,200 00	New York.
112	W. P. Bacon	1,200	do	do	1,200 00	Dist. Columbia.
113	William Schreiber	1,200	do	do	1,200 00	Maryland.
114	Charles Smith	1,200	do	do	1,200 00	Army.
115	William G. Spottswood	1,200	do	do	1,200 00	Pennsylvania.
116	John E. Gorman	1,200	do	do	1,200 00	New York.
117	Charles Brandt	1,200	Jan. 1, 1877	do	1,100 00	Maryland.
118	T. F. Hammond	1,200	Dec. 1, 1876	do	1,200 00	Dist. Columbia.
119	William W. Davis	1,200	do	do	1,200 00	Do.
120	William M. Sefton	1,200	do	do	1,200 00	Do.
121	E. H. Pearson	1,200	do	do	1,200 00	West Virginia.
122	John S. Friel	1,200	do	do	1,200 00	Pennsylvania.
123	John O'Neill	1,200	do	do	1,200 00	Dist. Columbia.
124	William Fleming	1,200	do	do	1,200 00	Do.
125	Hugh Kandler	1,200	do	do	1,200 00	Do.
126	Charles Camper	1,200	do	do	1,200 00	Do.
127	James Toomey	1,200	do	do	1,200 00	Pennsylvania.
128	George B. French	1,200	do	do	1,200 00	Dist. Columbia.
129	Lawrence Morisey	1,200	do	do	1,200 00	Do.
130	George A. Young	1,200	do	do	1,200 00	Do.
131	J. A. Stewart	1,200	do	do	1,200 00	Pennsylvania.
132	T. Harry Donehue	1,200	do	do	1,200 00	Massachusetts.
133	Michael Kelly	1,200	do	do	1,200 00	Dist. Columbia.
134	C. E. Williams	1,200	do	do	1,200 00	Virginia.
135	Charles E. Persons	1,200	do	do	1,200 00	Vermont.
136	John Lepper	1,200	do	do	1,200 00	Dist. Columbia.
137	Charles Shelse	1,200	do	do	1,200 00	Do.
138	Jacob Gotthilf	1,200	do	do	1,200 00	Do.
139	M. M. Mauger	1,200	do	do	1,200 00	Pennsylvania.
140	L. B. Ruff	1,200	do	do	1,200 00	Dist. Columbia.
141	Timothy Coughlin	1,200	do	do	1,200 00	New York.
142	Robert L. Jones	1,200	do	do	1,200 00	Dist. Columbia.
143	Cornelius Daily	1,200	do	do	1,200 00	Do.
144	William Mulhall	1,200	do	do	1,200 00	Do.
145	George F. Wetzerick	1,200	do	do	1,200 00	Do.
146	Edward Turkenton	1,200	do	do	1,200 00	Do.
147	S. G. Merrill	1,200	do	do	1,200 00	Do.
148	J. L. Norris	1,200	do	do	1,200 00	Do.
149	Morris Cohen	1,200	do	do	1,200 00	Do.
150	Rudolph Ullmer	1,200	do	do	1,200 00	New Jersey.
151	Valentine H. Cuming	1,200	do	do	1,200 00	Army.
152	G. H. Leonard	1,200	do	do	1,200 00	Dist. Columbia.
153	E. W. Davis	1,200	do	do	1,200 00	Do.
154	James Dodge	1,200	do	do	1,200 00	New York.
155	O. E. Caruana	1,200	do	do	1,200 00	Dist. Columbia.
156	E. J. Brookings	1,200	do	do	1,200 00	Maine.
157	J. C. S. Burger	1,200	do	do	1,200 00	Dist. Columbia.
158	George H. Knapp	1,200	do	do	1,200 00	New York.
159	Charles L. Patten	1,200	do	do	1,200 00	Maine.
160	Alfred Cock	1,200	do	do	1,200 00	Dist. Columbia.
161	Hy. Lynham	1,200	do	do	1,200 00	Do.
162	Willoughby North	1,200	do	do	1,200 00	Do.
163	John E. Bristol	1,200	do	do	1,200 00	New York.
164	A. F. Bayard	1,200	do	do	1,200 00	Dist. Columbia.
165	William Haines	1,200	do	do	1,200 00	New Hampshire.
166	James Loan	1,200	do	do	1,200 00	Pennsylvania.
167	William T. Richardson	1,200	do	do	1,200 00	Dist. Columbia.
168	T. R. Senior	1,200	do	do	1,200 00	Pennsylvania.

Statement showing the names, compensation, &c., of clerks, messengers, &c.—Continued.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CLASS 1—Continued.					
169	F. W. Collins	$1,200	Dec. 1, 1876	Nov. 30, 1877	$1,200 00	Dist. Columbia.
170	James F. Essex	1,200	do	do	1,200 00	Do.
171	H. G. Carrothers	1,200	do	do	1,200 00	New York.
172	H. A. Gross	1,200	do	do	1,200 00	Dist. Columbia.
173	B. F. Hallowell	1,200	do	do	1,200 00	Pennsylvania.
174	A. P. Whitney	1,200	do	do	1,200 00	New York.
175	Sanford Bradbury	1,200	do	do	1,200 00	Ohio.
176	Charles A. Krause	1,200	do	do	1,200 00	Texas.
177	Myron Boardman	1,200	do	do	1,200 00	New York.
178	J. C. Lyons	1,200	do	do	1,200 00	Ohio.
179	John B. Warder	1,200	do	do	1,200 00	Dist. Columbia.
180	Alfred Coethen	1,200	do	do	1,200 00	Do.
181	H. A. Johnson	1,200	do	do	1,200 00	Do.
182	Charles Draeger	1,200	do	do	1,200 00	Pennsylvania.
183	B. B. Kercheval	1,200	do	do	1,200 00	Virginia.
184	J. E. Fullonton	1,200	do	do	1,200 00	Dist. Columbia.
185	T. C. Bourne	1,200	do	do	1,200 00	New York.
186	Theodore Horn	1,200	do	do	1,200 00	Texas.
187	J. H. C. Hollins	1,200	do	do	1,200 00	Dist. Columbia.
188	William M. Porter	1,200	do	do	1,200 00	Massachusetts.
189	Thomas Y. Yeates	1,200	do	do	1,200 00	Ohio.
190	W. H. Most	1,200	do	do	1,200 00	Dist. Columbia.
191	Lewis Williams	1,200	do	do	1,200 00	Missouri.
192	F. H. Simpson	1,200	do	do	1,200 00	New York.
193	William Bremer	1,200	do	do	1,200 00	Missouri.
194	Smith Thompson	1,200	do	do	1,200 00	Maryland.
195	Charles Erwin	1,200	do	do	1,200 00	New York.
196	J. F. Leonard	1,200	do	do	1,200 00	Dist. Columbia.
197	Charles De Forest	1,200	do	do	1,200 00	Ohio.
198	Halvor Nelson	1,200	do	do	1,200 00	Michigan.
199	Frank Clifford	1,200	do	do	1,200 00	Massachusetts.
200	W. W. Parker	1,200	do	do	1,200 00	Dist. Columbia.
201	R. D. DeL. French	1,200	do	do	1,200 00	Do.
202	George H. Byron	1,200	do	do	1,200 00	Do.
203	H. J. Robinson	1,200	do	do	1,200 00	New York.
204	George O. Brown	1,200	do	do	1,200 00	Dist. Columbia.
205	R. D. Thomson	1,200	do	do	1,200 00	Do.
206	Arthur Wiecker	1,200	do	do	1,200 00	Do.
207	T. G. Ash	1,200	do	do	1,200 00	Do.
208	H. H. Hazard	1,200	do	do	1,200 00	Do.
209	A. H. Elliott	1,200	do	do	1,200 00	Do.
210	Aug. Henning	1,200	do	do	1,200 00	Virginia.
211	James Moran	1,200	do	do	1,200 00	New York.
212	W. A. Craig	1,200	do	do	1,200 00	Do.
213	John Huettenmueller	1,200	do	do	1,200 00	Dist. Columbia.
214	William Gadsby	1,200	do	do	1,200 00	Do.
215	E. A. Fenton	1,200	do	do	1,200 00	New York.
216	H. N. Holmes	1,200	do	do	1,200 00	Pennsylvania.
217	H. S. Hetherington	1,200	Jan. 1, 1877	do	1,100 00	Dist. Columbia.
218	M. B. Lichty	1,200	Jan. 18, 1877	do	1,013 33	Pennsylvania.
219	George V. Balch	1,200	Feb. 6, 1877	do	980 00	Dist. Columbia.
220	Norval W. King	1,200	July 6, 1877	do	483 70	Do.
221	James L. Falbey	1,200	Oct. 1, 1877	do	200 00	Pennsylvania.
	MESSENGERS.					
222	J. B. Baker	840	Dec. 1, 1876	Nov. 30, 1877	840	Dist. Columbia.
223	R. W. Spain	840	do	do	840	Army.
224	John A. Campbell	840	do	do	840	Dist. Columbia.
225	Thomas Kennedy	840	do	do	840	Do.
226	Robert E. Doyle	840	Dec. 11, 1877			Do.
227	J. M. Judd	840	Dec. 1, 1876	Nov. 30, 1877	840	Do.
228	James Richardson	840	do	do	840	Do.
229	Edward Quinn	840	do	do	840	Do.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the Office of the Surgeon-General from December 1, 1876, *to November* 30, 1877.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CHIEF CLERK.					
1	Samuel Ramsey	$2,000	Dec. 1, 1876	Nov. 30, 1877	$2,000 00	Virginia.
	CLASS 4.					
2	Charles Harling	1,800	Dec. 1, 1876	Nov. 30, 1877	1,800 00	Dist. Columbia.
3	Andrew Bischoff	1,800	do	do	1,800 00	New York.
4	John Wilson	1,800	do	do	1,800 00	New Jersey.
5	J. Price Kepner	1,800	do	do	1,800 00	Pennsylvania.
6	C. J. Myers	1,800	do	do	1,800 00	Dist. Columbia.
7	M. L Baxter	1,800	do	do	1,800 00	Illinois.
8	S. A. Moulthrop	1,800	do	do	1,800 00	Connecticut.
	CLASS 3.					
9	Edward Shaw	1,600	Dec. 1, 1876	Nov. 30, 1877	1,600 00	Massachusetts.
10	D. G. Dixon	1,600	do	do	1,600 00	Pennsylvania.
11	Jacob Frech	1,600	do	do	1,600 00	Dist. Columbia.
12	Joseph R. Rose	1,600	do	do	1,600 00	New York.
13	G. E. Corson	1,600	do	do	1,600 00	Maine.
	CLASS 2.					
14	Fred. W. Stone	1,400	Dec. 1, 1876	Nov. 30, 1877	1,400 00	Maine.
15	J. F. Loughran	1,400	do	do	1,400 00	Dist. Columbia.
16	Fred. R. Sparks	1,400	do	do	1,400 00	New York.
17	R. Ravenburg	1,400	do	do	1,400 00	Wisconsin.
18	William S. McPherson	1,400	do	do	1,400 00	Dist. Columbia.
19	F. L. Apel	1,400	do	do	1,400 00	Pennsylvania.
20	A. M. Buck	1,400	do	do	1,400 00	Wisconsin.
	CLASS 1.					
21	C. P. Clark	1,200	Dec. 1, 1876	Nov. 30, 1877	1,200 00	New York.
22	A. Rechenberg	1,200	do	do	1,200 00	Dist. Columbia.
23	William Schwennecker	1,200	do	do	1,200 00	Do.
24	F. W. Storch	1,200	do	do	1,200 00	Do.
25	William Palmer	1,200	do	do	1,200 00	Do.
26	T. G. Haviland	1,200	do	do	1,200 00	New York.
27	E. F. Schafhirt	1,200	do	do	1,200 00	Pennsylvania.
28	E. S. McCleary	1,200	do	do	1,200 00	Do.
29	S. C. Hanson	1,200	do	do	1,200 00	New York.
30	E. S. Fletcher	1,200	do	do	1,200 00	Pennsylvania.
31	J. R. Imbrie	1,200	do	do	1,200 00	Do.
32	W. C. Myers	1,200	do	do	1,200 00	Do.
33	J. C. McConnell	1,200	do	do	1,200 00	Ohio.
34	John M. Nesbitt	1,200	do	do	1,200 00	New York.
35	G. W. Fisher	1,200	do	do	1,200 00	Pennsylvania.
36	M. Bryan	1,200	do	do	1,200 00	Dist. Columbia.
37	G. M. Dowe	1,200	do	do	1,200 00	Do.
38	William Fisher	1,200	do	do	1,200 00	Do.
39	James D. Hendley	1,200	do	do	1,200 00	Do.
40	George A. Jones	1,200	do	do	1,200 00	New York.
41	Louis LeClerc	1,200	do	do	1,200 00	Pennsylvania.
42	William Pittis	1,200	do	do	1,200 00	Dist. Columbia.
43	Lewis H. Rose	1,200	do	do	1,200 00	New York.
44	J. Albert Wise	1,200	do	do	1,200 00	Dist. Columbia.
45	J. H. Collins	1,200	do	do	1,200 00	Do.
46	William Crompton	1,200	do	do	1,200 00	Minnesota.
47	R. W. Hardy	1,200	do	do	1,200 00	Iowa.
48	Magnus Koechling	1,200	do	do	1,200 00	Maryland.
49	Isaac P. Noyes	1,200	do	do	1,200 00	Rhode Island.
50	Charles Roller	1,200	do	do	1,200 00	Maryland.
51	M. H. Teulon	1,200	do	do	1,200 00	Dist. Columbia.
52	Charles Watson	1,200	do	do	1,200 00	Massachusetts.
53	B. F. Williams	1,200	do	do	1,200 00	New York.
54	Samuel Johnston	1,200	do	do	1,200 00	Washington Ter.
55	James W. St. Clair	1,200	do	do	1,200 00	Dist. Columbia.
56	A. D. Addison	1,200	do	do	1,200 00	Maryland.
57	M. Addison	1,200	do	do	1,200 00	Do.
58	C. R. Clifton	1,200	do	do	1,200 00	Pennsylvania.
59	J. C. Fill	1,200	do	do	1,200 00	Dist. Columbia.
60	F. J. Foster	1,200	do	do	1,200 00	New York.
61	John F. Gibson	1,200	do	do	1,200 00	Ohio.
62	W. E. Harley	1,200	do	do	1,200 00	Pennsylvania.
63	F. C. Holland	1,200	do	do	1,200 00	Dist. Columbia.

Statement showing the names, compensation, &c., of clerks, messengers, &c.—Continued.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CLASS 1—Continued.					
64	E. W. Kepner	$1,200	Dec. 1, 1876	Nov. 30, 1877	$1,200 00	Pennsylvania.
65	J. S. Larcombe	1,200	do	do	1,200 00	Dist. Columbia.
66	D. E. Lattimore	1,200	do	do	1,200 00	Indiana.
67	J. F. Linden	1,200	do	do	1,200 00	Pennsylvania.
68	Thomas L. Miller	1,200	do	do	1,200 00	Massachusetts.
69	Charles J. Moore	1,200	do	do	1,200 00	New York.
70	W. T. W. Moritz	1,200	do	do	1,200 00	Alabama.
71	W. D. Palmer	1,200	do	do	1,200 00	New York.
72	C. Parkinson	1,200	do	do	1,200 00	Texas.
73	Luther M. Penfield	1,200	do	do	1,200 00	Connecticut.
74	William A. Ruess	1,200	do	do	1,200 00	Ohio.
75	Matthew Ryan	1,200	do	do	1,200 00	New York.
76	Ernst Schmid	1,200	do	do	1,200 00	Do.
77	R. L. Shimer	1,200	do	do	1,200 00	Pennsylvania.
78	L. W. Slater	1,200	do	do	1,200 00	Virginia.
79	William H. Stuard	1,200	do	do	1,200 00	Pennsylvania.
80	J. L. Taylor	1,200	do	do	1,200 00	Do.
81	C. H. Underwood	1,200	do	do	1,200 00	Dist. Columbia.
82	A. G. Yount	1,200	do	do	1,200 00	Pennsylvania.
83	D. H. Yount	1,200	do	do	1,200 00	Do.
84	B. Zglinitzki	1,200	do	do	1,200 00	Dist. Columbia.
85	David Flynn	1,200	do	do	1,200 00	Do.
86	Thomas Frisby	1,200	do	do	1,200 00	Do.
87	G. H. Holt	1,200	do	do	1,200 00	Do.
88	Anton Becker	1,200	do	do	1,200 00	Do.
89	Thomas O'Beirne	1,200	do	do	1,200 00	Massachusetts.
90	F. B. Loftus	1,200	do	do	1,200 00	Dist. Columbia.
91	E. J. Jennings	1,200	do	do	1,200 00	Do.
92	William R. Goodman	1,200	do	do	1,200 00	Maryland.
93	Samuel Hilton	1,200	do	do	1,200 00	Rhode Island.
94	E. T. Parker	1,200	do	do	1,200 00	New Hampshire.
95	Peter Preuss	1,200	do	do	1,200 00	Dist. Columbia.
96	J. F. Reardon	1,200	do	do	1,200 00	Ohio.
97	James Taylor	1,200	do	do	1,200 00	Maryland.
98	John N. Ehle	1,200	do	do	1,200 00	Dist. Columbia.
99	H. W. Durnall	1,200	do	do	1,200 00	Pennsylvania.
100	Louis P. Altschu	1,200	do	do	1,200 00	Kansas.
101	J. S. McFarland	1,200	do	do	1,200 00	Pennsylvania.
102	R. L. Clear	1,200	do	do	1,200 00	Dist. Columbia.
103	Adam Geib	1,200	do	do	1,200 00	Do.
104	H. O. Hall	1,200	do	do	1,200 00	Iowa.
105	T. S. Buchanan	1,200	do	do	1,200 00	Pennsylvania.
106	Charles Abert	1,200	do	do	1,200 00	Maryland.
107	O. D. Kinsman	1,200	do	do	1,200 00	New York.
108	E. J. Ward	1,200	do	do	1,200 00	Dist. Columbia.
109	William B. Corbit	1,200	do	do	1,200 00	Do.
110	Lorenz Auber	1,200	do	do	1,200 00	Do.
111	A. W. Taylor	1,200	do	do	1,200 00	Pennsylvania.
112	M. Emmet Urell	1,200	Sept. 16, 1877	do	248 91	New York.
	ANATOMIST.					
113	Frederic Schafhirt	1,600	Dec. 1, 1876	Nov. 30, 1877	1,600 00	Pennsylvania.
	ENGINEER.					
114	J. F. Linkins	1,400	Dec. 1, 1876	Nov. 30, 1877	1,400 00	Dist. Columbia.
	MESSENGER.					
115	Eli Jackson	840	Dec. 1, 1876	Nov. 30, 1877	840 00	Dist. Columbia.
	WATCHMEN.					
116	John G. Burkhardt	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.
117	Thomas Whelan	720	do	do	720 00	Do.
118	Fr. Nenjahr	720	do	do	720 00	Do.
119	William Green	720	do	do	720 00	Do.
120	Aaron Stern	720	do	do	720 00	Do.
121	Charles Trought	720	do	do	720 00	Do.
122	Michael Duffy	720	do	do	720 00	Do.
123	W. E. Jones	720	do	do	720 00	Do.
124	William McCoy	720	Dec. 19, 1876	do	685 43	Do.
125	M. F. Daly	720	Aug. 1, 1877	do	239 35	Do.

Statement showing the names, compensation, &c., of clerks, messengers, &c.—Continued.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	LABORERS.					
126	William Bowles	$720	Dec. 1, 1876	Nov. 30, 1877	$720 00	Dist. Columbia.
127	Martin Gannon	720	do	do	720 00	Do.
128	G. W. Giddens	720	do	do	720 00	Alabama.
129	Patrick McEneany	720	do	do	720 00	Kansas.
130	John Fogarty	720	do	do	720 00	New York.
131	A. Brown	720	do	do	720 00	Dist. Columbia.
132	J. J. Hanlon	720	do	do	720 00	New York.
133	James H. Murphy	720	do	do	720 00	Dist. Columbia.
134	Samuel Bryant	720	do	do	720 00	Do.
135	William H. Womersley	720	Aug. 29, 1877	do	184 57	Do.
	SUPERINTENDENT OF BUILDING.					
136	A. K. Gawler	250	July 20, 1877	Nov. 30, 1877	91 09	Dist. Columbia.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the Office of the Quartermaster-General from December 1, 1876, to November 30, 1877.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CHIEF CLERK.					
1	George K. Finckel	$2,000	Dec. 1, 1876	Nov. 30, 1877	$2,000 00	Dist. Columbia.
	CLASS 4.					
2	Ira S. Allen	1,800	Dec. 1, 1876	Nov. 30, 1877	1,800 00	Wisconsin.
3	A. W. Lattimore	1,800	do	do	1,800 00	Indiana.
4	Thomas W. Webster	1,800	do	do	1,800 00	Maryland.
5	Charles Ebert	1,800	do	do	1,800 00	New York.
6	Albert Gaines	1,800	do	do	1,800 00	Maine.
7	R. V. Belt	1,800	do	do	1,800 00	Maryland.
8	John B. Tanner	1,800	do	do	1,800 00	Delaware.
	CLASS 3.					
9	William H. Hodges	1,600	Dec. 1, 1876	Nov. 30, 1877	1,600 00	New Jersey.
10	George Marsh, jr	1,600	do	do	1,600 00	Illinois.
11	John M. Grahame	1,600	do	do	1,600 00	Maryland.
12	George E. Davis	1,600	do	do	1,600 00	Pennsylvania.
13	B. A. Farless	1,600	do	do	1,600 00	New York.
14	H. W. Smith	1,600	do	do	1,600 00	Do.
15	Hy. B. Fernald	1,600	do	do	1,600 00	Massachusetts.
16	Hy. P. Viles	1,600	do	do	1,600 00	Dist. Columbia.
17	Hy. D. Saxton	1,600	do	do	1,600 00	Do.
	CLASS 2.					
18	Charles C. Casey	1,400	Dec. 1, 1876	Nov. 30, 1877	1,400 00	Pennsylvania.
19	N. H. Martin	1,400	do	do	1,400 00	Do.
20	Frederick A. Gee	1,400	do	do	1,400 00	New York.
21	J. H. Pickell	1,400	do	do	1,400 00	Do.
22	B. J. O'Driscoll	1,400	do	do	1,400 00	Do.
23	Robert J. Woodburn	1,400	do	do	1,400 00	Pennsylvania.
24	Thomas W. Sanner	1,400	do	do	1,400 00	Maryland.
25	Robert Armour	1,400	do	do	1,400 00	New York.
26	W. H. Burnett	1,400	do	do	1,400 00	Iowa.
27	S. F. Wainwright	1,400	do	do	1,400 00	Dist. Columbia.
28	Louis Galeski	1,400	do	do	1,400 00	New York.
29	H. H. Parmenter	1,400	do	do	1,400 00	Massachusetts.
30	James Williamson	1,400	do	do	1,400 00	Pennsylvania.
31	Samuel M. Thatcher	1,400	do	do	1,400 00	Do.
32	John B. Pearce	1,400	do	do	1,400 00	Ohio.
33	A. W. Ogden	1,400	do	do	1,400 00	New York.
34	A. Y. Leech	1,400	do	do	1,400 00	Dist. Columbia.
35	Edward Flagg	1,400	do	do	1,400 00	Massachusetts.
36	James G. Hening	1,400	do	do	1,400 00	Maryland.

Statement showing the names, compensation, &c., of clerks, messengers, &c.—Continued.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CLASS 2—Continued.					
37	H. W. Jackson	$1,400	Dec. 1, 1876	Nov. 30, 1877	$1,400 00	Iowa.
38	Thomas Montgomery	1,400	do	do	1,400 00	New York.
39	Isaac N. Thornburg	1,400	do	do	1,400 00	West Virginia.
40	F. H. Evans	1,400	do	do	1,400 00	New Hampshire.
41	Daniel S. Tompkins*	.....	Dec. 1, 1876	June 15, 1877	650 55	Michigan.
		1,400	June 16, 1877	Nov. 30, 1877	639 69	
					1,290 24	
	CLASS 1.					
42	L. F. Fix	1,200	Dec. 1, 1876	Nov. 30, 1877	1,200 00	Ohio.
43	Lewis B. Parker	1,200	do	do	1,200 00	South Carolina.
44	Michael Manning	1,200	do	do	1,200 00	New York.
45	J. G. Jaquette	1,200	do	do	1,200 00	Pennsylvania.
46	Edward C. Townsend	1,200	do	do	1,200 00	New York.
47	John D. Creighton	1,200	do	do	1,200 00	Massachusetts.
48	Frank B. Holden	1,200	do	do	1,200 00	Maine.
49	Francis McLean	1,200	do	do	1,200 00	New York.
50	J. S. Franklin	1,200	do	do	1,200 00	Pennsylvania.
51	George W. Callahan	1,200	do	do	1,200 00	Do.
52	Thomas M. Newman	1,200	do	do	1,200 00	Maryland.
53	J. B. McCreary	1,200	do	do	1,200 00	Pennsylvania.
54	William Ludgate	1,200	do	do	1,200 00	New York.
55	James McMahon	1,200	do	do	1,200 00	Do.
56	D. W. Cleaver	1,200	do	do	1,200 00	Iowa.
57	W. B. Johnson	1,200	do	do	1,200 00	Ohio.
58	George F. Robinson	1,200	do	do	1,200 00	Maine.
59	Thomas J. Abbott	1,200	do	do	1,200 00	Virginia.
60	George C. Thomas	1,200	do	do	1,200 00	Dist. Columbia.
61	William Ryan	1,200	do	do	1,200 00	Nebraska.
62	H. Colburn	1,200	do	do	1,200 00	Maryland.
63	C. W. Taylor	1,200	do	do	1,200 00	New York.
64	Emma D. Sedgwick	1,200	do	do	1,200 00	Connecticut.
65	Louisa A. Byrne	1,200	do	do	1,200 00	Dist Columbia.
66	Annie B. Ogden	1,200	do	do	1,200 00	Virginia.
67	S. B. Hopperton	1,200	do	do	1,200 00	Ohio.
68	Wiley Britton	1,200	do	do	1,200 00	Kansas.
69	John A. Botts	1,200	do	do	1,200 00	Dist. Columbia.
70	James F. Dooley	1,200	do	do	1,200 00	Do.
71	John M. Cooke	1,200	do	do	1,200 00	New York.
72	J. Thomas Baden	1,200	do	do	1,200 00	Maryland.
73	Nelly M. Bates	1,200	do	do	1,200 00	Michigan.
74	Lizzie A. Richardson	1,200	do	do	1,200 00	New Hampshire.
75	Howard Edmonds	1,200	do	do	1,200 00	Pennsylvania.
76	Emily Ring	1,200	do	do	1,200 00	New York.
77	W. S. McFarlan	1,200	do	do	1,200 00	Missouri.
78	Julia M. Edie	1,200	do	do	1,200 00	Dist. Columbia.
79	Ettie Van Hook	1,200	do	do	1,200 00	Do.
80	Luke Devlin	1,200	do	do	1,200 00	Do.
81	Marcia Richardson	1,200	do	do	1,200 00	Michigan.
82	E. T. Cowperthwaite	1,200	do	do	1,200 00	Pennsylvania.
83	Ida Allen	1,200	do	do	1,200 00	Dist. Columbia.
84	James Stone	1,200	Jan. 9, 1877	do	1,063 34	Iowa.
85	Samuel W. Tucker	1,200	Feb. 22, 1877	do	926 66	Pennsylvania.
86	Caroline A. Sherman†	.....	Dec. 1, 1876	June 15, 1877	487 92	Virginia.
		1,200	June 16, 1877	Nov. 30, 1877	549 45	
					1,037 37	
87	E. S. Gurley	1,200	June 23, 1877	do	526 37	Dist. Columbia.
88	Mary L. Davidson	1,200	July 1, 1877	do	500 00	Maryland.
89	John Corson	1,200	Nov. 9, 1877	do	72 83	Iowa.
	DRAUGHTSMAN.					
90	Thomas P. Chiffelle	1,800	Dec. 1, 1876	Nov. 30, 1877	1,800 00	Dist. Columbia.
	ENGINEER.					
91	Samuel Dale	1,200	Dec. 1, 1876	Nov. 30, 1877	1,200 00	Maryland.
	FIREMAN.					
92	James Payne	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.

* Promoted from class 1.

† Promoted from copyist.

Statement showing the names, compensation, &c., of clerks, messengers, &c.—Continued.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	MESSENGER.					
93	George Phelps	$840	Dec. 1, 1876	Nov. 30, 1877	$840 00	Dist. Columbia.
	ASSISTANT MESSENGERS.					
94	Thomas Allen	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.
95	Hy. Payne	720	do	do	720 00	Do.
	LABORERS.					
96	Charles Wilton	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.
97	Patrick Wall	720	do	do	720 00	Do.
98	Thomas G. Streett	720	do	do	720 00	Maryland.
99	Charles McDonough	720	do	do	720 00	Dist. Columbia.
100	Andrew Mills	720	do	do	720 00	Do.
101	J. Espy McCoy	720	do	do	720 00	Do.
	WATCHMEN.					
102	William Lewis	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.
103	M. P. Desmond	720	do	do	720 00	Do.
104	James O'Hara	720	do	do	720 00	Do.
105	Patrick Delanthy	720	do	do	720 00	Do.
106	Fanning Barnard	720	do	do	720 00	Do.
	COPYISTS.					
107	Priscilla Hebb	900	Dec. 1, 1876	Nov. 30, 1877	900 00	Dist. Columbia.
108	Anne C. Knight	900	do	do	900 00	Massachusetts.
109	Marian Goodall	900	do	do	900 00	Dist. Columbia.
110	Helen J. Paulding	900	do	do	900 00	New York.
111	Margaret H. Fillebrown	900	do	do	900 00	Dist. Columbia.
112	Harriet Chur	900	do	do	900 00	Pennsylvania.
113	Lizzie P. Roy	900	do	do	900 00	Dist. Columbia.
114	Jennie B. Jones	900	do	do	900 00	Do.
115	Ellen H. Sheldon	900	do	do	900 00	New York.
116	Elisa W. Barstow	900	do	do	900 00	Massachusetts.
117	Eliza C. Bull	900	do	do	900 00	Dist. Columbia.
118	Annie G. Davis	900	do	do	900 00	Do.
119	Harriet A. B. Corts	900	do	do	900 00	Michigan.
120	Victoria J. Le Compte	900	do	do	900 00	Dist. Columbia.
121	Sarah L. Myers	900	do	do	900 00	Pennsylvania.
122	Annie Harding	900	do	do	900 00	Maine.
123	Nettie E. George	900	do	do	900 00	New Hampshire.
124	Edmonia S. Crawford	900	Mar. 5, 1877	do	667 50	Virginia.
125	Gertrude Du B. Holgate	900	Mar. 7, 1877	do	662 50	Pennsylvania.
126	Eliza Wilkes	900	June 19, 1877	do	404 67	Dist. Columbia.
	MESSENGER.					
127	Mary Murray	360	Dec. 1, 1876	Nov. 30, 1877	360 00	Dist. Columbia.
	SUPERINTENDENT OF BUILDING					
128	George K. Finckel	250	Dec. 1, 1876	Nov. 30, 1877	250 00	Dist. Columbia.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the Office of the Paymaster-General, from December 1, 1876, *to November* 30, 1877.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CHIEF CLERK.					
1	G. D. Hanson	$2,000	Sept. 16, 1877	Sept. 30, 1877	$413 52	Dist. Columbia.
	CLASS 4.					
2	Will T. Kent *a*	.....	Dec. 1, 1876	Dec. 19, 1876	91 30	Pennsylvania.
		.....	Dec. 20, 1876	Sept. 15, 1877	1,483 70	
		1,800	Sept. 16, 1877	Nov. 30, 1877	373 37	
					1,948 37	
3	W. G. Newton	1,800	Dec. 1, 1876	Nov. 30, 1877	1,800 00	Ohio.
4	E. A. Pratt	1,800	...do...	...do...	1,800 00	New York.
5	T. M. Exley	1,800	...do...	...do...	1,800 00	Massachusetts.
6	H. Maxwell	1,800	...do...	...do...	1,800 00	Ohio.
7	M. M. Bartlett *b*	.....	...do...	Dec. 19, 1876	81 83	New Hampshire
		1,800	Dec. 20, 1876	Nov. 30, 1877	1,708 70	
					1,790 53	
	CLASS 3.					
8	W. R. Price *c*	.....	Mar. 7, 1877	Sept. 15, 1877	.....	Delaware.
		1,600	Sept. 16, 1877	Nov. 30, 1877	.....	
9	Albert P. Eastman	1,600	Dec. 1, 1876	...do...	1,600 00	Massachusetts.
10	B. P. Murray	1,600	...do...	...do...	1,600 00	New York.
11	A. P. Dunlap	1,600	...do...	...do...	1,600 00	Do.
12	E. Goodrich	1,600	...do...	...do...	1,600 00	Ohio.
13	J. A. Sterling	1,600	...do...	...do...	1,600 00	Do.
14	Z. S. Buckler *d*	.....	...do...	Dec. 11, 1876	41 92	Maryland.
		1,600	Dec. 12, 1876	Nov. 30, 1877	1,552 96	
					1,594 88	
	CLASS 2.					
15	F. H. Mundy *e*	.....	Dec. 1, 1876	Dec. 19, 1876	72 35	New York.
		.....	Dec. 20, 1876	Sept. 15, 1877	1,186 95	
		1,400	Sept. 16, 1877	Nov. 30, 1877	289 07	
					1,548 37	
16	James P. Pearson	1,400	Dec. 1, 1876	Nov. 30, 1877	1,400 00	New Hampshire.
17	Charles N. Bennit	1,400	...do...	...do...	1,400 00	New York.
18	A. M. Salmon	1,400	...do...	...do...	1,400 00	New Jersey.
19	C. F. Cobb	1,400	...do...	...do...	1,400 00	Maryland.
20	F. J. Willis	1,400	...do...	...do...	1,400 00	New York.
21	George Hickenlooper	1,400	...do...	...do...	1,400 00	Iowa.
22	James B. Royce	1,400	...do...	...do...	1,400 00	Vermont.
23	J. L. H. Winfield	1,400	...do...	...do...	1,400 00	New York.
24	J. B. Diver	1,400	...do...	...do...	1,400 00	Do.
25	J. S. Cleverdon	1,400	...do...	...do...	1,400 00	Ohio.
26	Samuel E. Thomason	1,400	...do...	...do...	1,400 00	New York.
27	E. L. Stone	1,400	...do...	...do...	1,400 00	Do.
28	T. J. MacNamee *f*	.....	...do...	Dec. 11, 1876	34 78	Massachusetts.
		1,400	Dec. 12, 1876	Nov. 30, 1877	1,358 09	
					1,392 87	
	CLASS 1.					
29	James Cross *g*	.....	Dec. 1, 1876	Dec. 19, 1876	60 87	Pennsylvania.
		.....	Dec. 20, 1876	Sept. 15, 1877	1,038 58	
		1,200	Sept. 16, 1877	Nov. 30, 1877	248 91	
					1,348 36	
30	Allen Wright	1,200	Dec. 1, 1876	Nov. 30, 1877	1,200 00	Vermont.
31	William Webb	1,200	...do...	...do...	1,200 00	Connecticut.
32	A. T. Shurtleff	1,200	...do...	...do...	1,200 00	Rhode Island.
33	Robert B. Kepner	1,200	...do...	...do...	1,200 00	Pennsylvania.
34	John W. Moore	1,200	...do...	...do...	1,200 00	Do.
35	Fred Thomson	1,200	...do...	...do...	1,200 00	Dist. Columbia.
36	Joseph S. Ball	1,200	...do...	...do...	1,200 00	Ohio.
37	James S. Phelps	1,200	Dec. 16, 1876	...do...	1,152 17	Vermont.
	MESSENGER.					
38	E. W. Moore	840	Dec. 1, 1876	Nov. 30, 1877	840 00	Pennsylvania.
	WATCHMEN.					
39	Michael B. Buckley	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.
40	Wallace Grant	720	...do...	...do...	720 00	Do.

a Reduced from chief clerk. *b* Promoted from class 3. *c* Reduced from class 4. *d* Promote from class 2. *e* Reduced from class 3. *f* Promoted from class 1. *g* Reduced from class 2.

Statement showing the names, compensation, &c., of clerks, messengers, &c.—Continued.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	LABORERS.					
41	Daniel Shannon	$720	Dec. 1, 1876	Nov. 30, 1877	$720 00	Massachusetts.
42	Christian Kaufman	720	....do....	....do....	720 00	New York.
43	F. R. May	720	....do....	....do....	720 00	Dist. Columbia.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the Office of the Commissary-General from December 1, 1876, to November 30, 1877.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CHIEF CLERK.					
1	Richard M. Hanson	$2,000	Dec. 1, 1876	Nov. 30, 1877	$2,000 00	Dist. Columbia.
	CLASS 4.					
2	William H. Wetzel	1,800	Dec. 1, 1876	Nov. 30, 1877	1,800 00	Pennsylvania.
	CLASS 3.					
3	John Penn Jones	1,600	Dec. 1, 1876	Nov. 30, 1877	1,600 00	Pennsylvania.
4	William W. McGill	1,600	....do....	....do....	1,600 00	Dist. Columbia.
5	H. F. Robinson	1,600	....do....	....do....	1,600 00	Vermont.
	CLASS 2.					
6	William Nourse	1,400	Dec. 1, 1876	Nov. 30, 1877	1,400 00	Dist. Columbia.
7	G. J. L. Foxwell	1,400	....do....	....do....	1,400 00	Army.
8	Charles T. Eldridge	1,400	....do....	....do....	1,400 00	Maine.
9	C. N. Moore	1,400	....do....	....do....	1,400 00	Wisconsin.
	CLASS 1.					
10	D. Austin McCarthy	1,200	Dec. 1, 1876	Nov. 30, 1877	1,200 00	Dist. Columbia.
11	Robert S. Kearney	1,200	....do....	....do....	1,200 00	Do.
12	F. W. Edwards	1,200	....do....	....do....	1,200 00	Massachusetts.
13	William H. Partridge	1,200	....do....	....do....	1,200 00	New York.
14	William F. Johnson	1,200	.... do....	....do....	1,200 00	Pennsylvania.
15	Alpheus W. Clear	1,200	....do....	....do....	1,200 00	Do.
16	John Barr	1,200	....do....	....do....	1,200 00	Delaware.
17	Milan C. Edson	1,200	....do....	....do....	1,200 00	Minnesota.
18	Thomas M. Moran	1,200	....do....	....do....	1,200 00	Dist. Columbia.
19	Joseph S. Vansant	1,200	....do....	....do....	1,200 00	Iowa.
	MESSENGER.					
20	George Lackey	840	Dec. 1, 1876	Nov. 30, 1877	840 00	Dist. Columbia.
	LABORERS.					
21	Daniel Donovan	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Massachusetts.
22	John Craige	720	....do....	....do....	720 00	Do.
	WATCHMEN.					
23	Hy. Johnson	720	Dec. 1, 1876	Nov, 30, 1877	720 00	Dist. Columbia.
24	William Pinion	720	....do....	....do....	720 00	Louisiana.
	SUPERINTENDENT OF BUILDING.					
	Charles T. Eldridge	250	Dec. 1, 1876	Nov. 30, 1877	250 00	Maine.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the Office of the Chief of Engineers, from December 1, 1876, to November 30, 1877.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CHIEF CLERK.					
1	William J. Warren	$2,000	Dec. 1, 1876	Nov. 30, 1877	$2,000 00	New York.
	CLASS 4.					
2	George T. Woodward	1,800	Dec. 1, 1876	Nov. 30, 1877	1,800 00	Dist. Columbia.
3	William A. Anderson	1,800	..... do	..... do	1,800 00	Army.
4	Schuyler Duryee	1,800	..... do	..... do	1,800 00	Virginia.
5	Phineas J. Dempsey	1,800	..... do	..... do	1,800 00	Do.
	CLASS 3.					
6	Charles G. Love	1,600	Dec. 1, 1876	Nov. 30, 1877	1,600 00	New York.
7	James Eveleth	1,600	..... do	..... do	1,600 00	Virginia.
8	F. J. Willoughby	1,600	..... do	..... do	1,600 00	Dist. Columbia.
	CLASS 2.					
9	F. N. Barbarin	1,400	Dec. 1, 1876	Nov. 30, 1877	1,400 00	New Jersey.
10	N. S. Fisher	1,400	..... do	.... do	1,400 00	Do.
11	Waldemar Jansen	1,400	..... do	..... do	1,400 00	New York.
	CLASS 1.					
12	John M. Jewell	1,200	Dec. 1, 1876	Nov. 30, 1877	1,200 00	Pennsylvania.
13	Hy. B. King	1,200	..... do	..... do	1,200 00	Dist. Columbia.
14	Frederick Ringgold	1,200	..... do	..... do	1,200 00	Maryland.
	MESSENGER.					
15	James A. D. Green	840	Dec. 1, 1876	Nov. 30, 1877	840 00	Dist. Columbia.
	LABORERS.					
16	William H. Deckman	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.
17	Frederick C. Hartmann	720	..... do	..... do	720 00	Do.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the Office of the Chief of Ordnance from December 1, 1876, to November 30, 1877.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CHIEF CLERK.					
1	V. McNally	$2,000	Dec. 1, 1876	Nov. 30, 1877	$2,000 00	Massachusetts.
	CLASS 4.					
2	John Moran	1,800	Dec. 1, 1876	Nov. 30, 1877	1,800 00	Army.
	CLASS 3.					
3	E. A. Skillman*	.....	Dec. 1, 1876	June 30, 1877	1,050 00	New Jersey.
		1,600	July 1, 1877	Nov. 30, 1877	666 00	
					1,716 00	
4	William A. De Caindry	1,600	Aug. 1, 1877	Nov. 30, 1877	531 22	Maryland.
	CLASS 2.					
5	A. W. Pentland	1,400	Dec. 1, 1876	Nov. 30, 1877	1,400 00	Pennsylvania.
6	S. C. Hull	1,400	..... do	..... do	1,400 00	Illinois.
	CLASS 1.					
7	L. J. Bryant†	.....	Dec. 1, 1876	June 30, 1877	934 00	Wisconsin.
		1,200	July 1, 1877	Nov. 30, 1877	500 00	
					1,434 00	

* Reduced from class 4.

† Reduced from class 3.

Statement showing the names, compensation, &c., of clerks, messengers, &c.—Continued.

No.	Names.	Annual salary.	Period of service. From—	Period of service. To—	Amount received.	Residence when appointed.
	CLASS 1—Continued.					
8	William D. Postal*	.....	Dec. 1, 1876	July 31, 1877	$1,068 78	Tennessee.
		$1,200	Aug. 1, 1877	Nov. 30, 1877	398 91	
					1,467 69	
9	John J. Cook	1,200	Dec. 1, 1876	Nov. 30, 1877	1,200 00	Dist. Columbia.
10	R. L. Walter	1,200	do	do	1,200 00	Army.
11	Charles S. Keller	1,200	do	do	1,200 00	Dist. Columbia.
12	H. F. J. Brown	1,200	do	do	1,200 00	Pennsylvania.
	MESSENGER.					
13	John M. Smith	840	Dec. 1, 1876	Nov. 30, 1877	840 00	Dist. Columbia.
	LABORER.					
14	John E. Brooke	720	May 16, 1877	Nov. 30, 1877	390 99	Dist. Columbia.

* Reduced from class 3.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the Office of Military Justice from December 1, 1876, *to November* 30, 1877.

No.	Names.	Annual salary.	Period of service. From—	Period of service. To—	Amount received.	Residence when appointed.
	CHIEF CLERK.					
1	Thomas Duke	$1,800	Dec. 1, 1876	Nov. 30, 1877	$1,800 00	Army.
	CLASS 3.					
2	Francis Myers	1,600	Dec. 1, 1876	Nov. 30, 1877	1,600 00	Dist. Columbia.
	CLASS 1.					
3	Silas J. Dewey	1,200	Dec. 1, 1876	Nov. 30, 1877	1,200 00	New York.
4	Thomas Sprague	1,200	do	do	1,200 00	Indiana.
	MESSENGER.					
5	John Tennyson	840	Dec. 1, 1876	Nov. 30, 1877	840 00	Dist. Columbia.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the building corner Seventeenth and F streets, from December 1, 1876, *to November* 30, 1877.

No.	Names.	Annual salary.	Period of service. From—	Period of service. To—	Amount received.	Residence when appointed.
	SUPERINTENDENT.					
1	James Eveleth	$250	Dec. 1, 1876	Nov. 30, 1877	$250 00	Virginia.
	WATCHMEN.					
2	Charles Tilley	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.
3	James M. Etter	720	do	do	720 00	Pennsylvania.
4	Robert Foertsch	720	do	do	720 00	Dist. Columbia.
5	M. A. Eldridge	720	do	do	720 00	Do.
	LABORERS.					
6	Patrick Fitzgerald	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist Columbia.
7	Daniel Ford	720	June 15, 1877	do	331 65	Virginia.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the building on F street (occupied by Paymaster-General) from December 1, 1876, *to November* 30, 1877.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	SUPERINTENDENT.					
1	William T. Kent.....	$250	Dec. 20, 1876	Nov. 30, 1877	$237 15	Pennsylvania.
	WATCHMEN.					
2	F. Armstrong	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.
3	Charles Brannan.....	720	.... do.....	.....do.....	720 00	Do.
4	W. H. Harrison	720	.....do.....	.....do.....	720 00	Virginia.
5	John Davis	720	.....do.....	.....do.....	720 00	Do.
6	James Dodson	720	.....do.....	.....do.....	720 00	Dist. Columbia.
	LABORERS.					
7	James Loveless	720	Dec. 1, 1876	Nov. 30, 1877	720 00	Dist. Columbia.
8	Timothy T. Lane	720	May 28, 1877	.....do.....	367 25	Do.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the Office of the Chief Signal-Officer from December 1, 1876, *to November* 30, 1877.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CLASS 4.					
1	Alexander Ashley	$1, 800	Dec. 1, 1876	Nov. 30, 1877	$1, 800 00	Pennsylvania.
2	James B. Wimer.....	1, 800	.....do.....	.....do.....	1, 800 00	Dist. Columbia.
	MESSENGER.					
3	Samuel Middleton	840	Dec. 1, 1876	Nov. 30, 1877	840 00	Dist. Columbia.

Statement showing the names, compensation, &c., of clerks, messengers, laborers, and watchmen employed in the Office of the Inspector-General from December 1, 1876, *to November* 30, 1877.

No.	Names.	Annual salary.	Period of service.		Amount received.	Residence when appointed.
			From—	To—		
	CHIEF CLERK.					
1	Warren H. Orcutt.....	$1, 800	Dec. 1, 1876	Nov. 30, 1877	$1, 800 00	Army.
	MESSENGER.					
2	John Connolly	840	Dec. 1, 1876	Nov. 30, 1877	840 00	Dist. Columbia.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 17.

COMMUTATION OF QUARTERS, FUEL, AND FORAGE.

LETTER

FROM

THE SECRETARY OF WAR,

RECOMMENDING

An amendment of the Statutes in relation to commutation of quarters, fuel, and forage.

DECEMBER 10, 1877.—Referred to the Committee on the Judiciary and ordered to be printed.

WAR DEPARTMENT,
December 8, 1877.

The Secretary of War has the honor to invite the attention of the United States Senate and House of Representatives to the subject of commutation of quarters, fuel, and forage in the Revised Statutes.

Section 1270 provides that "Fuel, quarters, and forage may be furnished in kind to officers by the Quartermaster's Department, according to law and regulations."

This section was amended in act approved February 27, 1877 (19 Stat., p. 243), by adding at the end of the section the following: "*Provided, however*, That when forage in kind cannot be furnished by the proper departments, then, and in all such cases, officers entitled to forage may commute the same according to existing regulations."

The law of July 17, 1862 (12 Stat., chap. 200, sec. 1, p. 594), provides, "That officers of the Army entitled to forage for horses shall not be allowed to commute it, but may draw forage in kind for each horse actually kept by them, when, and at the place where, they are on duty, not exceeding the number authorized by law: *Provided, however*, That when forage in kind cannot be furnished by the proper department, then, and in all such cases, officers entitled to forage may commute the same according to existing regulations."

Section 24, act of July 15, 1870 (16 Stat., chap. 294, p. 320), establishing the pay of officers of the Army, says: "And these sums shall be in full of all commutation of quarters, fuel, forage, servants' wages, and clothing, longevity rations, and all allowances of every name and nature whatever, and shall be paid monthly by the paymaster: *Provided*, That fuel, quarters, and forage in kind may be furnished to officers by the Quartermaster's Department, as now allowed by law and regulations."

In connection with the foregoing the Paymaster-General, under date of May 4, 1877, says: "This clause of the act of February 27, 1877,

restoring commutation of forage, was introduced into said act by a clerical error, as it was, at my instance, rescinded by final action of the Senate on said bill (see speech of Senator Boutwell, Congressional Record of 13th January, 1877), which action was afterward concurred in by a committee of conference, and by both Houses. All commutation was forbidden by section 24 of the act of July 15, 1870."

In view of these facts, it is respectfully recommended that section 1270 of the Revised Statutes of the United States be amended by omitting the following words: "*Provided, however*, That when forage in kind cannot be furnished by the proper departments, then, and in all such cases, officers entitled to forage may commute the same according to existing regulations."

Respectfully submitted.

GEO. W. McCRARY,
Secretary of War.

The SPEAKER *of the House of Representatives.*

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45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 18.

CERTAIN DEFICIENCIES IN THE APPROPRIATIONS FOR THE ARMY.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Estimates of appropriations for certain deficiencies in the appropriations for the Army.

DECEMBER 10, 1877.—Referred to the Committee on Appropriations and ordered to be printed.

WAR DEPARTMENT, *December* 10, 1877.

The Secretary of War has the honor to transmit to the House of Representatives communications from the Paymaster-General and the Surgeon-General, forwarding estimates of deficiencies, as follows:

Title of appropriation.	Fiscal year.	Amount required.
Pay, traveling and general expenses of the Army	1878	$450,551 33
Artificial limbs	1878	25,000 00
Medical and Hospital Department	1877	2,500 00

Also a communication from the Quartermaster-General in regard to the deficiency in the appropriation for transportation of the Army for the fiscal year 1877.

In this connection attention is invited to the several items of estimates of appropriations and reappropriations required to complete the service of the fiscal year 1878, and prior years, as printed in Ex. Doc. No. 5, first session, Forty-fifth Congress, which items do not appear in the deficiency bill (H. R. 1526) as reported in the House December 1, 1877, and are as follows:

Title of appropriation.	Fiscal year.	Amount required.
Army transportation	1877	$1,200,000 00
Medical and Surgical History of the War	1878	12,883 85
Medical and Hospital Department	1871 and prior years	499 31
Draft and substitute fund	1871 and prior years	10 44
Expenses of military convicts	1872, 1873, and 1874	614 88

It is suggested that the good of the public service will be subserved by favorable action on these estimates at an early date.

GEO. W. McCRARY,
Secretary of War.

WAR DEPARTMENT, PAYMASTER-GENERAL'S OFFICE,
Washington, November 30, 1877.

SIR: I have the honor to submit herewith an estimate of the amount required to supply a deficiency in the appropriation for "pay, traveling, and general expenses of the Army" for the current fiscal year, viz, $450,551.33.

The estimate for the additional amount asked for pay of privates, &c., is based upon the report of the Adjutant-General as to the actual number of enlisted men in service from July 1, 1877, to November 1, 1877, and the probable number that will be in service at the end of each month thence to the close of the fiscal year.

This report shows an average of 22,859 men for the year, including an average of 570 Indian scouts from July 1, 1877, to November 20, 1877, and 300 from that date.

The act of August 12, 1876, authorized the employment of 1,000 Indian scouts, but General Order No. 47, 1877, fixed the maximum to be employed as 600.

Under section 1190, Revised Statutes, each paymaster was allowed at least one clerk. There being 54 (including two assistant paymasters-general and two deputy paymasters-general) in service, 54 clerks were employed until November 21, the date of the passage of the appropriation act, at which date two were discharged.

I ask for an amount sufficient to pay those two clerks from July 1 to November 20, 1877.

Very respectfully, your obedient servant,

BENJ. ALVORD,
Paymaster-General United States Army.

To the honorable the SECRETARY OF WAR.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1878, *by the Pay Department, United States Army.*

Detailed objects of expenditure, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Amount appropriated for the current fiscal year ending June 30, 1878.
PAY, TRAVELING, AND GENERAL EXPENSES OF THE ARMY, 1878.		
Pay of privates second class, of engineers and ordnance, and privates of cavalry, artillery, and infantry, including compensation for use of horses and horse equipments to an average of 570 Indian scouts, from July 1 to November 20, 1877, and 300 thence to the end of the fiscal year, per act August 12, 1876, November 21, 1877 (19 Stat., pp. 221, 131, secs. 1280, 1281)	$449,618 00	.....
Pay of two paymaster's clerks from July 1, 1877, to November 20, 1877, inclusive, authorized until passage of appropriation act of November 21, 1877 (Stat., p. 211, sec. 1190)	933 33	$11,300 00
	450,551 33	.....

BENJ. ALVORD,
Paymaster-General United States Army.

PAYMASTER-GENERAL'S OFFICE,
November 30, 1877.

WAR DEPARTMENT, SURGEON-GENERAL'S OFFICE,
Washington, D. C., December 8, 1877.

SIR: I have the honor to submit estimates of deficiencies in the appropriations for the Medical and Hospital Department for the last fiscal year, and for providing artificial limbs during the present year. The reasons for asking these additional appropriations are shown in the estimates themselves.

I also inclose a letter to the honorable chairman of the Committee on Appropriations, House of Representatives, requesting the reappropriation of an unexpended balance for completing the "Medical and Surgical History of the War," and would respectfully request that it be forwarded in accordance with your views.

Very respectfully, your obedient servant,

J. K. BARNES,
Surgeon-General, United States Army.

HON. SECRETARY OF WAR.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1877, *by the Medical and Hospital Department of the Army.*

Detailed objects of expenditure, and explanations.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1877.
MEDICAL AND HOSPITAL DEPARTMENT.		
For medical attendance and miscellaneous expenses (19 Stat. at L., pp. 99, 365).	$2,500	$200,000

NOTE.—Owing to the limited appropriation for the last fiscal year the number of physicians employed by contract became greatly reduced. Troops on detached duty were often compelled to have recourse to resident practitioners, who charged by the visit. The bills for such service presented since July 1 have exceeded anticipation, and after the exhaustion of the balance left in the Treasury to meet such demands a considerable number are still unpaid.

J. K. BARNES,
Surgeon-General, United States Army.

SURGEON-GENERAL'S OFFICE,
December 8, 1877.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1878, *by the Surgeon-General of the Army.*

Detailed objects of expenditure, and explanations.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1878.
FOR ARTIFICIAL LIMBS.		
For furnishing artificial limbs and apparatus, or commutation therefor, together with necessary transportation, to persons disabled in the military or naval service of the United States, per act Aug. 15, 1876, Feb. 27, 1877 (19 Stat., pp. 937, 203, 252, secs. 4787 to 4791)	$25,000	$100,000

NOTE.—The number of limbs and apparatus furnished in kind, or by commutation, during the five months ending November 30, 1877, was, arms, 408; legs, 270; hands, 4; feet, 11. Apparatus for cases in which limbs were useless, but not amputated, 385, the cost of which was $60,700, besides bills for transportation not yet settled. A balance is thus left of about $38,000 for the remaining seven months of the fiscal year. As old claims are becoming due, and new ones presented every day, and the number of the latter is only conjectured, this estimate is as close an approximation as can be made to the sum required under existing laws.

J. K. BARNES,
Surgeon-General, United States Army.

SURGEON-GENERAL'S OFFICE,
December 8, 1877.

WAR DEPARTMENT, SURGEON-GENERAL'S OFFICE,
Washington, D. C., December 8, 1877.

SIR: I have the honor to call your attention to the items relating to the Medical and Surgical History of the War, which will be found in the printed estimates of appropriations for the year ending June 30, 1878, ecial session of Congress, page 25, as follows, viz:

General object, &c.	Estimated amount required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.
MEDICAL AND SURGICAL HISTORY OF THE WAR.		
For completing the Medical and Surgical History of the War, the unexpended balance of the appropriation made in the act of June 23, 1874, to be used in the preparation of illustrations for a new edition of five thousand copies of the entire work, required to be reappropriated for the service of the fiscal year 1878	$3,992 21	.....
For completing the Medical and Surgical History of the War, the unexpended balance of the appropriation made in the act of June 8, 1872, and reappropriated in the act of June 23, 1874, and again reappropriated in the act of July 31, 1876, required to be reappropriated for the service of the fiscal year 1878	8,891 64	.....
	12,883 85	.....

NOTE.—This balance, although only liable to be carried to the surplus fund July 1, 1878, is no longer available for current expenditures. It is recommended that the appropriation of $25,000, made by act of March 3, 1875 (Stat. 19, p. 360), for completing the second edition of the Medical and Surgical History of the War, Part III, be made available, by further legislation, for any part of the work.

My reason for earnestly desiring that the sums there mentioned may be reappropriated and made available as indicated in the note, is, briefly, that the preparation of the work has unavoidably occupied more time than it was originally hoped would have sufficed for its completion, and that it has been deemed advantageous to the work to postpone the selection, from the mass of the material available, of some of the illustrations for the third part, until the subjects to be illustrated are actually reached. It is true it would have been possible to have prepared these illustrations and paid for them before the appropriations lapsed, but to have done so would not only have risked making selections which could have been improved upon by waiting, but would have caused serious embarrassment on account of the insufficient storage-room at command.

Illustrations have, therefore, been prepared for a part only of the subjects to be treated of in the third part of the Medical and Surgical History, the printing of the surgical volume of which has just commenced, and the reappropriations asked for are necessary to complete the work in accordance with the original plans.

It is particularly suggested that the appropriation of $25,000, mentioned in the note referred to above, should be made available for both editions of the third part of the work by amending the original appropriation by striking out the words "the second edition of." While this will involve no additional expenditure, it will permit plates to be paid for to be used in both editions, and thus permit the introduction of valuable illustrations which must otherwise be omitted.

Very respectfully, your obedient servant,

J. K. BARNES,
Surgeon-General, United States Army.

The CHAIRMAN
Of the Committee on Appropriations, House of Representatives.

WAR DEPARTMENT, QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., December 5, 1877.

SIR: I have seen a printed copy of the deficiency bill, as reported in the House of Representatives on the 1st December, 1877.

I find in it no provision for the deficiency in the appropriation for transportation of the Army.

I suggest that it may perhaps be well to call attention of some one in Congress to the need of provision to pay the debts of the United States on this account.

The fact that there was such a deficiency needing provision, was referred to in debate upon the Army appropriation bill at the extra session.

I am, sir, very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General, Bvt. Major-General, U. S. Arm

To the honorable the SECRETARY OF WAR.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 19.

DISMAL SWAMP CANAL.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

IN REFERENCE TO

The interest of the government in the Dismal Swamp Canal.

JANUARY 21, 1878.—Referred to the Committee on Railways and Canals and ordered to be printed.

TREASURY DEPARTMENT,
Washington, D. C., January 15, 1878.

SIR: In June last my attention was called to an advertisement in the daily newspapers of the proposed sale, on the 9th of August then ensuing, of the property and works of the Dismal Swamp Canal Company, situated in Virginia and North Carolina, under and by virtue of two several deeds of trust executed by that company on the 1st of July, 1867, and the 10th of February, 1869, respectively, to secure certain bondholders mentioned therein. As the United States is the owner of a large interest in this canal, viz, eight hundred shares, representing $200,000 at their par value, for which Congress in 1826–1829 appropriated that sum from the Treasury, I deemed it incumbent upon me to protect, as far as it lay in my power, this large interest from sacrifice. Accordingly I instructed the Solicitor of the Treasury to make personal examination into the affairs of this company, or to direct some one to do so, for the purpose of a correct understanding as to the creation of the debt for which the canal and works of the company were advertised for sale; to inquire particularly as to whether the proceedings for such sale were regular; and to negotiate with the bondholders and trustees for a postponement until after the meeting of Congress, or until that body could have the opportunity of legislation to protect the interests of the United States as a stockholder. The Solicitor of the Treasury directed the chief clerk of his office to make this examination and negotiation, a copy of whose report upon the subject and accompanying documents are transmitted herewith for the information of Congress.

It appears that at a stockholders' meeting held November 5, 1866, at which meeting the United States was represented by proxy, under appointment of the Secretary of the Treasury, the president and directors were authorized to borrow such an amount of money as in their judgment was necessary for the improvement of the canal and the payment

of the debt of the company, not exceeding $200,000; to issue bonds to that amount, bearing interest not exceeding 8 per cent. per annum, and to pledge the entire works of the company for the payment of the said bonds. In pursuance of this authority, and of the sanction subsequently obtained from the legislatures of Virginia and North Carolina, the president and directors aforesaid issued two hundred bonds in the name of the company of $1,000 each, payable twenty years from the 1st of July, 1867, and executed a deed of trust of that date, conveying to certain persons in trust the entire canal property of the company to secure the payment of the bonds so issued. By the terms of this deed the trustees are required, on default in the payment of the principal and interest, or any part thereof, of the said bonds, and upon the request of any one or more of the holders thereof, to dispose of the trust property at public auction or private sale, for cash, or on reasonable credit, after duly advertising the same, as provided, and from the proceeds to pay the accrued interest, and to pay or to secure the payment of the principal.

By a supplemental deed, executed February 10, 1869, by authority of a meeting of the directors of the company, it is made imperative upon the trustees from the proceeds of sale to pay immediately to the bondholders the principal and accrued interest of the bonds, "whether the said principal be then due or yet to become due."

On the 1st of July last, the company was in default on these bonds for interest to the amount of $52,000. On the 4th of April, just previously, a majority of the bondholders made demand in writing upon the trustees for a sale of the property in accordance with the deeds of trust, and the same was accordingly duly advertised for sale, to take place on the 9th of August last, as I have before stated.

At a called meeting of the bondholders and trustees to confer with the gentleman intrusted with the examination into these transactions, held at Norfolk a short time previous to the day named for the sale, the following resolution, as I am officially informed, was adopted, viz:

Resolved, That the bondholders present respectfully request that the honorable the Secretary of the Treasury make an immediate examination of the affairs of the Dismal Swamp Canal Company, and if, after such an examination, he will agree to recommend to Congress to appropriate a sufficient amount to put the canal in thorough order, or some other measure that will save the interest of the United States, amounting to nearly one million dollars, that the trustees be authorized to postpone the sale until such time as they may deem expedient.

My response to this resolution was communicated to the Solicitor of the Treasury in a letter requesting him, in view of the large pecuniary interest held by the United States in this property, and of the probable injury which would result to that interest in the event of a sale under present circumstances, to take such prompt action as he might deem expedient to insure a postponement of said sale until Congress could have an opportunity to consider and pass upon such measure for the protection of the interests of the government in the premises as might appear judicious and efficient; and informing him that, upon the meeting of Congress, I would submit the matter for its action.

At a subsequent meeting of the bondholders, the trustees were instructed, in view of this response, to postpone the sale of the canal until after the regular session of Congress.

I propose simply to lay the matter now before Congress, as I agreed to do in consideration of that postponement, referring only to such details as, in my opinion, are required for an intelligent understanding of the subject, and leaving it for that body to take such action as in its wisdom may seem to be required in the premises.

The Dismal Swamp Canal is about twenty-eight miles in length. It

commences at a point in the Elizabeth River about three miles from Norfolk and the Portsmouth navy-yard, and extends to deep water in Pasquotank River, North Carolina, by means of which river it connects with Albemarle Sound. It thus affords a connecting-link in a line of interior navigation reaching from the southern coast-line of North Carolina to the waters of the New England States. Of late years, the extent and character of the carrying-trade have demanded a larger class of vessels than those used in the trade at an earlier period, and hence the canal, by reason of inadequate width and depth, has been restricted in its business, as it appears, to almost a purely local traffic.

Two of the locks are but 17½ feet and the remaining two but 24 feet in width, and about 100 feet in length. I am advised that, in order to accommodate the through carrying-trade, it is indispensable that these be entirely reconstructed by rebuilding, widening, and lengthening. Besides this, the canal-bed must be dredged to a depth of five or six feet its entire length. The cost of such an improvement, as has been estimated, will be from two to three hundred thousand dollars.

The capital stock of the company consists of 1,944 shares, of the nominal value of $250 each, or in all $486,000. Of this stock the United States owns 800 shares, or, in amount, $200,000, nearly two-fifths of the entire amount. This stock was subscribed for by authority of the acts of Congress of May 18, 1826, and March 3, 1829. The former act, authorizing a subscription for 600 shares, made it a condition to such subscription that the report and opinion, in writing, of the United States Board of Engineers be first obtained that "the plan on which the said canal is to be executed will answer, as far as circumstances will permit, as a part of a chain of canals contemplated along the Atlantic coast, and that the sum hereby authorized to be subscribed for will be sufficient to finish the canal according to said plan." The last-named act, however, authorized a further subscription for 200 shares, with no conditions attached.

The present bonded debt of the company is as follows, viz:

Principal	$200,000
Interest not paid, but funded in certificates at 8 per cent	24,000
Interest due January, 1876	4,000
Coupons due July 1, 1876	8,000
Coupons due January 1, 1877	8,000
Coupons due July 1, 1877	8,000
Coupons due January 1, 1878	8,000
In all	260,000

In addition to this, there are judgment-liens of record against the company, subordinate to the lien of the trust-deed and the bonded indebtedness before mentioned. These judgments amount to about $73,000, including interest up to last July.

The revenue of the company from tolls, since and including the year 1871, has been as follows, as shown by the official reports.

Year ending September 30, 1871	$12,739 60
Year ending September 30, 1872	19,998 90
Year ending September 30, 1873	22,153 46
Year ending September 30, 1874	19,962 54
Year ending September 30, 1875	11,210 31
Year ending September 30, 1876	10,219 73

The annual repairs to the canal during this period have averaged about $7,000.

For a long period previous to the war of 1861, the yearly revenue from tolls averaged about $38,000, while the current annual expenses were less than $6,000, and the expenses of repairs about the latter sum.

There has been expended in the making and improvement of the canal the sum of $1,600,000.

The United States has already derived from its investment in the stock of this canal the sum of $136,000 in dividends; $98,447.58 of which have been paid into the Treasury, as officially reported to me. The remainder, $37,000, was, by authority of an act of Congress of February 26, 1845, devoted toward the expenses of improving the works. In recent years no dividends have been declared, the revenue being barely sufficient for repairs and expenses.

It is for Congress to determine whether it is expedient to take any action for the protection of the interest of the United States in this property. If it shall be deemed inexpedient to adopt any measure calculated to sustain this canal, and through such measure to retain the interest of the government therein, or if no action shall be taken, the bondholders will doubtless proceed with their sale, under the trust-deed, as they have before contemplated, and such sale, if founded upon legal right, must necessarily dispossess the United States of its entire interest in the capital stock of the company and divest it of all control over the canal as a work of national importance, if it has such a character.

Respectfully submitted.

JOHN SHERMAN,
Secretary of the Treasury.

Hon. SAMUEL J. RANDALL,
Speaker of the House of Representatives.

DEPARTMENT OF JUSTICE,
OFFICE OF THE SOLICITOR OF THE TREASURY,
Washington, D. C., July 7, 1877.

SIR: In pursuance of directions given me by your predecessor, under authority of a letter of the 6th ultimo, addressed to him by the Secretary of the Treasury, I visited Norfolk, Va., on the 20th of that month, for the purpose of looking into the affairs of the Dismal Swamp Canal Company, particularly to examine as to the creation of the debt for which the canal and works of the company are advertised for sale in the month of August next; as to whether the proceedings for such sale are regular, and if so to negotiate with the bondholders for such a postponement of the sale until after the meeting of Congress, or until that body can have the oppportunity of legislation, to protect the large interests of the United States as a stockholder in the company.

Upon arriving at Norfolk, I found that the president of the company was unfortunately absent from the city on a visit to Boston, and that he had with him the key of the safe containing all the books and papers of the company, the examination of which seemed necessary to a complete transaction of the business upon which I was sent. I was accordingly unable, by personal inspection of the minutes of the stockholders' meeting, to obtain the desired information as to the proceedings attending the creation of the bonded debt of the company, and the authority given, if any, to the officers thereof to enter into the trust-deeds under the provisions of which the property has been advertised for sale.

The treasurer of the company, however, promised to send me, on return of the president, full abstracts from the books of all the proceedings had at the meetings, showing particularly whether the United

States was represented, and whether, if so, the representative consented to the loan and the execution of the trust-deeds.

Since my return I have received the promised extracts from the minutes of the stockholders' meeting of November 5, 1866, and of the directors' meeting of the 16th of February, 1869.

At the former meeting it appears that it was resolved that the president and directors have authority to borrow such amount of money as may be necessary for the improvement of the works and payment of the debt, not exceeding $200,000; to issue bonds of the company, bearing interest not exceeding 8 per cent.; to pledge the entire works of the company for the payment of said bonds, and to memorialize the legislature for the necessary authority.

At the meeting of the directors at the latter period authority was given the president of the company to execute a supplemental deed explanatory of the deed of trust executed on the 1st of July, 1867.

It appears, from the extracts of the stockholders' meeting, that the United States was represented by E. W. Whipple as proxy, entitled to cast on 800 shares of stock 168 votes, the total number of shares represented at the meeting being 1,723, entitled to cast 459 votes.

I find, by reference to the Treasury records, that on the 4th of November, 1865, the Secretary of the Treasury constituted and commissioned Elijah W. Whipple as his proxy for the United States at all meetings of the company. I presume this appointment was a continuous one and terminated with the succeeding appointment, in 1867, of Gilbert A. Walker to act at the meeting of that year.

The capital stock of this company is divided into 1,944 shares, of the nominal value of $250 each, or $486,000. Of this stock the United States owns 800 shares, representing $200,000, a sum which Congress appropriated in the years 1828 and 1829 for their purchase, or nearly two-fifths of the capital of the company. There has been expended in the making and improvement of the canal the sum of $1,600,000, which amount more truly represents the capital invested.

The interest, therefore, of the United States in this work, which should be protected and preserved in some way, is represented rather by the sum of $700,000 than the mere face value of the shares of stock. From this stock in times past the United States has derived the sum of $136,000 in dividends, although in recent years, from causes readily explained and appreciated, no dividends have been declared.

The war of the rebellion left the canal and all its machinery unfit for use and in a deplorable condition.

In order to refit the same, and to restore this valuable work to something approaching its former condition, an indebtedness was contracted in the year 1867 by the issue of 200 bonds of $1,000 each, secured by the deed of trust mentioned in the advertisement of sale as of July 1, 1867. The charter, as it seems, gave no power to contract such a debt or to create a lien upon the works and property of the company. Accordingly authority was obtained through a special act of the general assembly of the State of Virginia, December 6, 1866, which provides that it may be lawful for the Dismal Swamp Canal Company to issue coupon-bonds, bearing interest at the rate of 8 per cent. per annum; the whole amount not to exceed $200,000; also to sell and dispose of such bonds in such mode and on such terms as may be deemed advisable, and to give such security for the punctual payment of the said bonds as such company may deem expedient. A similar act was passed about the same time by the legislature of North Carolina.

The deed of trust so executed by the president and treasurer of the

company as security for these bonds, by authority of the meeting of stockholders before referred to, conveyed to James Corneck, C. W. Newton, and William H. C. Ellis, the Dismal Swamp Canal, with all and singular the lands and tenements, &c., in trust to secure the purchasers or holders of the said bonds the payment of the principal and interest, and gives authority to said trustees, upon the demand of any one or more of the said bondholders, to sell at public auction or at private sale for cash, or on reasonable credit, in their discretion, the property so conveyed, after advertising such sale for three months in one or more newspapers in New York, Baltimore, Washington, Philadelphia, and Norfolk, and from the proceeds to pay all accrued interest on the bonds and to so provide that the principal thereof shall be immediately paid, or so secured that no future default in the payment of interest may be made, and to pay the balance, if any, to the company or its assigns. This deed seems to have been properly executed and recorded.

A supplemental deed of trust was executed the 10th of February, 1869, by authority of the directors' meeting referred to, making it imperative upon the trustees, from the proceeds of sale, to pay immediately to the bondholders the principal and interest of the bonds, "whether the said principal be then due or yet to become due;" or, in case of a deficiency, to so pay a proportional part of the same. Copies of these deeds, taken from the records of Norfolk County, are transmitted herewith as a part of this report. A majority of the bondholders, as I understood from the trustees, have given them notice in writing of their desire for a sale of the trust-property. I append a copy of the notice as furnished me by the president of the company since my return.

The only specific authority for the execution of this supplemental deed was derived from the meeting of directors before mentioned. I had conferences with a number of the bondholders representing, perhaps, more than one-half the trust-debt, or with persons representing such bondholders, and all expressed a willingness to consent to a postponement of the sale as advertised, in the hope that Congress would adopt some measure to protect the interests of the United States as a stockholder and preserve to the community the commercial advantages of the canal as a great interior line of water-communication with the sounds of North Carolina and the southern coast.

Of the entire amount of the bonds, about $115,000 in value are held in Norfolk, $75,000 in Baltimore, and $10,000 in New York. The investment is held in high estimation, and it is not the desire, generally, of the bondholders to have a sale of the trust-property, provided there shall be encouraging indications that necessary improvements in the canal will be made, which will assure ample revenue for the payment of interest, expenses, and dividends, as in the past, from the largely increased and increasing trade that must of necessity seek this line of communication.

A meeting of the Norfolk bondholders was called and held in the office of the company, at which I was present, and explained fully the object of my visit. There was a free and full interchange of views, evincing a most thorough appreciation of the fact that the United States had, through its proper officers, given this indication that something will be done, or attempted, to protect its large interests as a stockholder, and thereby directly enhance the interests of the stock generally and of the community.

There was some hesitation as to giving authority to the trustees for a postponement of the sale without having first a definite assurance from the Secretary of the Treasury that he will make some recommendation

to Congress touching the matter. The form such recommendation should take they are willing to leave entirely with that officer.

It was urged that although the bonds and accrued interest are now abundantly secured, in view of the present great value of the canal property, yet that security was becoming impaired by delay in making necessary and vital improvements to the canal; by the loss of trade consequent upon the want of improvement adapting the canal to the navigation of vessels of a large tonnage; by the gradual decay and deterioration of the property; the shoaling of the water, and other causes not within the power of the company, embarrassed by debt and other difficulties, to prevent or overcome. The sense of the meeting was, however, reduced to the form of a resolution in the following words:

Resolved, That the bondholders present respectfully request that the honorable Secretary of the Treasury make an immediate examination of the affairs of the Dismal Swamp Canal Company, and if, after such an examination, he will agree to recommend to Congress to appropriate a sufficient amount to put the canal in thorough order, or some other measure that will save the interest of the United States, amounting to nearly one million of dollars, that the trustees be authorized to postpone the sale until such time as they may deem expedient.

Under this resolution, upon a favorable response from the Secretary of the Treasury, the trustees will postpone the sale of the canal advertised for the 9th of August.

The only other alternative for the protection of the stock of the United States from entire loss is a proceeding to enjoin the trustees from selling the property.

It may be added that this bonded debt now stands as follows:

Principal	$200,000
Interest not paid, but funded in certificates at 8 per cent	24,000
Interest due January, 1876 (one-half paid)	4,000
Coupons due July 1, 1876	8,000
Coupons due January, 1877	8,000
Coupons due July, 1877	8,000
In all	252,000

In addition to this, there are judgments of record against the company of about $73,000, including interest.

The revenue of the company from tolls since and including the year 1871 has been as follows:

Year ending September 30, 1871	$12,739 60
Year ending September 30, 1872	19,998 90
Year ending September 30, 1873	22,153 46
Year ending September 30, 1874	19,962 54
Year ending September 30, 1875	11,210 31
Year ending September 30, 1876	10,219 73

It appears from the reports of the president of the company to the stockholders that a revenue of $25,000 will pay the annual general expenses, and ordinary annual repairs, amounting to about $7,000, and the interest on the bonded debt, amounting to about $17,500.

For a long period previous to the war of 1861, the yearly revenue from tolls averaged $38,000, while the current annual expenses were less than $6,000, and the expense of repairs about the latter sum. Since that time a rival work, called the Albemarle and Chesapeake Canal, has been completed, which, by reason of the depth of water and enlarged dimensions, was enabled to command a through trade in vessels of 300 tons burden, while the Dismal Swamp Canal has been restricted in its business to almost a purely local traffic.

It is contended, and with every probability in its favor, I think, that the improvement of the latter canal by widening the locks and deepen-

ing the water and otherwise, as has been from time to time suggested, would reverse the relative situations as to business of these two portages of commerce, for the latter is the favorite route of vessels which can pass the locks, because of its shorter distance, less tortuous course, and of the fact that they are not subject to delays therein, as is the case frequently in the navigation of the Albemarle and Chesapeake Canal, by reason of the tides and drifting sands at its outlet.

From a report made in April, 1866, to the Secretary of the Treasury, by Messrs. John Kimball and John Jay Knox, it appears that for a period from 1845 to 1862, eighteen years, the receipts of the Dismal Swamp Canal Company from tolls amounted to $625,542,94, the current ordinary expenses to $92,173.32, and the general expenses for repairs to $138,340.95.

For a better understanding of the important interest which the United States has in this line of commerce, I beg leave to refer to its past history and to the details of its trade and capabilities recounted in the printed copies of the memorials herewith, marked A and B.

I also annex as part of this report copies of annual reports of the president and directors of the company to the stockholders for the years ending September 30 of 1871, 1872, 1873, 1874, 1875, and 1876, marked C.

I also annex copies of the two trust-deeds under which the property of the canal company is advertised for sale, marked D and E; also a list of the bondholders secured by such deeds of trust, marked F; also a compilation of laws of the States of Virginia and North Carolina, constituting the charter of the company, marked G.

It is apparent that the canal in its present condition must earn a very limited revenue, and must necessarily suffer continuous diminution of its capabilities, by reason of decay of its machinery, the constant washing of its banks, and consequent shoaling of its waters.

The canal is about twenty-eight miles in length, commencing at a point in the Elizabeth River, a few miles from Norfolk, extending to Deep Creek, about two and a half miles, thence to a point on Joyce Creek, twenty-three miles, and continuing from a point on that creek to Pasquotank River, a distance of about three miles. Two of the locks are but 17½ feet wide, and about 95 feet in length, and two are 24 feet in width and about 100 feet in length. All of these need rebuilding, widening, and lengthening. Besides this, the canal-bed requires dredging to 5 or 6 feet in depth of water its entire length.

An estimate has been made, as will be seen by the memorial herewith, marked A, of the expense of such an improvement, which places it at about $400,000. This estimate was made, however, about seven years ago, and may now, it is urged, be received with a considerable reduction, in consequence of the lower price of labor and material, and the use of improved machinery.

As a great link of interstate communication with the southern seaboard, affording a connection in a line of interior navigation, reaching from the southern coast-line of North Carolina to the waters of the New England States, the work becomes one of national importance, and seems worthy of recognition in some manner by Congress, because of its relation to the commercial interests of the country as well as for the preservation of the stock in which so large a sum of public money has been invested.

Very respectfully,

WEBSTER ELMES.

Hon. KENNETH RAYNOR,
Solicitor of the Treasury.

A.

Memorial of the Dismal Swamp Canal Company to the Senate and House of Representatives of the United States of America, December 20, 1871.

To the honorable the Senate and House of Representatives of the United States of America:

In obedience to a resolution of the stockholders of the Dismal Swamp Canal Company, the undersigned most respectfully present for the consideration of your honorable bodies a statement in regard to this company, in which the government, besides possessing a large pecuniary interest, has other relations of a national character. A brief review of the history of the company is necessary to a proper appreciation of its claims to the favorable consideration of Congress.

It was chartered in 1787, by the States of Virginia and North Carolina, in order to connect the Chesapeake Bay with the sounds and rivers of North Carolina. In the progress of the work, which was very slow, the original views of the corporators were enlarged and the cost consequently increased. No connection between the waters of Virginia and North Carolina had been made when the war of 1812–'15 with Great Britain broke out. The want of such a connection was sensibly felt by our infant Navy in the deprivation of the naval stores indispensable to its expansion and maintenance. The only connection before existing was through the dangerous navigation of the sounds, Ocracoke or other inlets and the ocean, to the navy-yard established here. But Great Britain, with her superior navy policing our coasts with her cruisers and occupying Hampton Roads with a permanent squadron, cut off this our only mode of supply, and it hence occurred that the want of a short inland line, which would have opened a safe, rapid, and economical connection with the naval timber, tar, and turpentine of a State most abounding in their production, greatly prevented the building and equipment of vessels of war at this point and sensibly crippled our naval operations. The commercial supplies also of our people in Lower Virginia and Carolina, derived at that early day principally from foreign countries, were cut off at the same time and from the same cause, producing much distress to them, besides injury to the government in various ways affecting its national wants and the vigor of its operations.

In fact, the whole coast of Virginia, by the occupancy of Chesapeake Bay and Hampton Roads, was sealed against all external connections, a condition of affairs which could not have taken place if this canal had then existed; for as dangerous a coast as that of North Carolina could not have been occupied or guarded like Hampton Roads, and the enterprise of blockade-runners, as in the late war, would have penetrated its inlets and kept up commercial supplies, which, with the facility of diffusion through the agency of this canal, would have found their way to the contiguous States as well as to the government.

It is true that Hampton Roads has since been so protected against the intrusion and occupancy of hostile fleets as to remove some of the difficulties developed by the war of 1812–'15, but the coast of Carolina, since the introduction of steam, may still be menaced by an enemy's cruisers, especially at those points where the inlets occur, to the great interruption of the trade through them; besides, the maintenance of this canal is as necessary now as before in the short and economical transit it offers for the naval stores and other productions of that State. It was for considerations of this kind that, when the work was about to be suspended for want of means, Congress, in 1826–'29, made appropri-

ations to the stock of $200,000. The work was completed, and an interior line of water-connection, composed of canal, sound, and river navigation, was opened from the southern limits of North Carolina to Massachusetts. In 1845 a further improvement, authorized by an act of the Virginia legislature in 1838, contemplating an extension of the canal from Deep Creek to the southern branch of Elizabeth River, in order to obviate difficulties in navigating that creek, was undertaken.

The company had commenced making dividends the previous year, with every prospect of regular continuance, but the cost of this improvement had to be met before accruing dividends could satisfy it, and as the Secretary of the Treasury had no power to advance the ratable proportion on the United States stock, the company did so under an agreement to be refunded out of the dividends of the United States to become due; hence the retention of the $37,000 mentioned in the report of Messrs. Kimball and Knox to the Secretary in 1867. (See their report, p. 5.)

In 1856, the upper portion of Pasquotank River, into which the southern end of the canal emptied, proved to be so narrow and sinuous as to seriously retard navigation. It was found that a short extension of the canal of about 3½ miles would not only discharge it into a deeper and wider part of the river, but would also lessen the route by about eight miles. The company therefore entered upon this further improvement, intending to meet the cost, estimated at about $150,000, with the accruing profits, which it was reasonably expected would be much increased when these additional facilities began to exercise their influence on the trade. While yet engaged in this work the late war broke out, which suspended all business, leaving the company with an unfinished work and a debt of nearly $100,000.

In 1867 the Virginia legislature authorized the issue of $200,000 bonds by the company, secured by mortgage on the canal. (See report of Kimball and Knox, page 5.) It was supposed that much the larger part of the debt—that due the Farmers' Bank (suspended)—could be paid in its own depreciated notes, which would have reduced the debt nearly one-half, and left in the company's hands, of the sales of these bonds, a considerable amount, which it was intended applying to another improvement, rendered necessary by great changes in the mode of carrying on the trade. The improvement here alluded to consists in reducing the summit level and widening the canal from thirty to sixty feet throughout, dispensing with all the locks on the main canal except the north and south locks, which are to be enlarged, obtaining thereby a larger supply of water from the lake, and affording a navigation of about eight feet depth in place of the former five and one-half feet, thus, while retaining the former business, opening facilities to vessels of larger tonnage and draught, and accommodating the work to the present demands of trade; advantages of such manifest importance as to justify the efforts of the company to obtain them.

In the payment of the larger part of the debt above mentioned, and in prosecuting this improvement, the proceeds of the bonds have been exhausted, leaving the canal in a very unfinished state.

We pause here to remark that this review of our operations discloses the fact that from the beginning and throughout its history the zeal and perseverance of its original stockholders, who embarked their capital long antecedent to the obtainment of the government aid and, besides, invested their profits for a long period in carrying out improvements suggested from time to time after the canal was finished as originally intended and they might have realized its surplus revenue, is worthy comment and consideration; and when we also add that oc-

casionally, when all other resources were exhausted, some of its members pledged their credit and estates in its behalf, we repeat that this zeal and perseverance, accompanied with so much self-denial, furnish the best evidence of the singleness of purpose and fidelity to liberal views with which our predecessors entered upon and their successors have discharged their trust.

This brief review is deemed necessary to a full understanding of the subject. But there are other considerations besides those of a national character which appeal strongly to the favorable action of Congress. They are:

1st. That the capital stock of the company, instead of being $486,000, which includes only the direct subscription to its stock, is nearly about $1,500,000, this being its actual cost to the present time, in consequence of the conversion, for so many years, of the profits to construction. Four hundred and eighty-six thousand dollars was entirely inadequate for a work of this magnitude, and hence the application of its resources, from time to time, to its completion and subsequent improvements. (See report of Kimball and Knox of $1,323,031.48, page 4; a large addition was made afterward from sales of bonds, tolls, &c.) The interest, therefore, of the United States, instead of being $200,000 in a nominal capital of $486,000, amounts really to nearly one-half of $1,500,000; an interest of sufficient magnitude to claim the attention of Congress.

2d. But besides sharing in the dividends, like the other stockholders, to the extent of $136,000, which of itself constitutes more than two-thirds of its entire subscription, the government, as the owner of the navy-yards along the Atlantic coast, has derived a further and important benefit from this work, in which the other stockholders have not participated. A reference to the accompanying map (see map) will show the difference in distance between a shipment through the canal and the outside route to Norfolk and through Norfolk to the Northern yards. The freight (especially as to naval timber, which may be *rafted* by canal, but must be *freighted* by the outside route), the extra insurance, delay, and hazard of the one operate necessarily as a premium to the other line, and the government has and will continue to feel the beneficial influence in the diminished prices of the products of a State which it consumes so largely. We have no present means of estimating, otherwise than approximately, the value of these advantages. Some years ago the records of the Navy Department, relating to contracts for naval timber and stores, before and after the opening of the canal (to which we respectfully refer you), enabled us, with tolerable accuracy, to arrive at the conclusion that in this regard alone the government had more than indemnified itself for its subscription to the stock of the company.

3d. During the late war, from 1862 to its close, the United States authorities had possession of the canal, and its water-line and road were used for the transportation of troops, munitions of war, stores, &c. It was resorted to also for supplying the Navy and Army with water, and in various other ways essentially contributed to the convenience and dispatch of military operations at this point. It was used also under Federal authority for the conveyance of cotton, tobacco, and other products, and all without any compensation; and, finally, when the work at the end of the war ceased to be of any further military or commercial necessity to the government, it was surrendered to the company in a condition of great dilapidation, the effect jointly of neglect and hard usage. In this connection, we would refer to the deposition of Henry Williams, on file in the United States Treasury Department, and the accompanying certified extract from a report of Leroy G. Edwards to

the canal company in 1865 (see appendix), who had charge of the work under a commission from the Secretary of the Treasury from 1863 to the end of the war. From their statements, it would appear that the government, besides making a very profitable use of the work for three years, had contributed greatly to many of the injuries we are now called on to repair. We therefore indulge the hope that, apart from considerations of sound policy and national necessity, the large pecuniary interest of the government, the many advantages of a safe and economical transit extending through so many States and connecting with so many sites for naval operations, combined with the fitness of recognizing in some appropriate manner its services in a time of national exigency, and redressing injuries sustained while in the exclusive use of the government, will commend to Congress our application for aid. As to the mode and measure of relief, we prefer to make no suggestion beyond a statement of the work necessary to place it in a complete condition, to wit:

Dredging and deepening main canal of 29 miles	$70,000
Dredging and deepening feeder, including new lock for same	15,000
Rebuilding two locks, one at Deep Creek, the other at south end, each 30 by 165 feet	110,000
Rebuilding Gilmerton lock, 30 by 165 feet, using much of the old stone	38,000
Completing excavation of summit-level and widening canal throughout from 30 to 60 feet	115,000
Steam-dredges for above work	30,000
Rebuiding bridges of more substantial kind	7,000
Incidental structures, such as repairs of Deep-Creek dam, waste-weirs, lock-houses, &c	17,000
Total	402,000

This estimate, made about seven years ago, may be revised for a considerable reduction, in consequence of the cheapening of much of the work and materials and the introduction of improved machinery for doing the work. If revised by a United States engineer, would be more satisfactory.

These improvements accomplished, this canal will become one of the best of its kind in the United States, and the hopes of the stockholders be realized in a work not only of acknowledged necessity but of promise of abundant revenue; for the large area of country tributary to its influence in the two States, its progressive reduction to agricultural and manufacturing purposes, the application of steam as motive power, together with the increased facilities of transportation, will necessarily draw to this work, which has heretofore been a favorite one with traders, an increased traffic; and when these elements of increased business are properly estimated, your petitioners do not hesitate to assert, as their honest conviction, that this work, which has been, as far as they are informed, the only one which has repaid to the government, in great part, the aid originally granted it, will, in the future as well as in the past, be able, in addition to the national advantages before named, to repay, if it shall be required, the aid now sought. And your petitioners, humbly praying, &c.

WM. B. ROGERS, *President.*
JOHN B. WHITHEAD,
WM. H. C. ELLIS,
D. D. SIMMONS,
E. C. ROBINSON,
Directors.

APPENDIX.

[Extract from a paper filed in the office of the Dismal Swamp Canal Company, signed by Leroy G. Edwards, custodian of the Dismal Swamp Canal Company.]

To the stockholders of the Dismal Swamp Canal Company:

I beg leave to lay before you a succinct history of the Dismal Swamp Canal during the late war:

"In the latter part of the summer of 1862, the United States forces took possession of the work. They gave us much trouble. Mr. Henry Williams has given his deposition and it has been filed in the Treasury Department, at Washington. I was restricted in everything until I received a commission from said department as proxy of the government, in consideration of the eight hundred shares held by it in said company. This was in November, 1863, and enabled me to save the work from entire destruction. Before that I had been treated with disrespect. The books of the office were taken from me, with the building which contained them, my desks were broken open, and a destruction of my papers was perpetrated, and the office not restored to me until the last military command was withdrawn.

"I think the United States Government have been benefited to the full extent of the amount necessary to rebuild the work. The watering of the Army and Navy would be but a small charge at $3,000 per month, and every regiment of horsemen, at the usual rate of road-toll (25 cents each), to say nothing of carriages, would amply pay for keeping the banks. Surely they will do us justice ultimately. Then the supplies for the armies, provender, stores, &c., I cannot doubt that we shall be paid.

"Goods were carried through under military permits. I asked payment of tolls, which were refused. I tested my power to stop vessels, as in the case of the steamer Dolly. I was informed by the officer of the day that my detaining vessels with military permits would subject myself to arrest and imprisonment, which I was not willing to incur, and I made no further attempt to stop any vessel, but contented myself to receive anything that might be tendered me. The cotton-traders I noted only, and I feel assured that some of them will pay ultimately; perhaps the pay will come when we most need it. I afforded every facility, and was often out of pocket in doing so. I made several attempts to get aid from the department, and went twice to Washington for that purpose. I will thank you to examine paper No. 2, directed to the Secretary of the Treasury, and his reply, marked No. 3."

STATE OF VIRGINIA,
City of Norfolk, to wit:

I, W. M. Chaplain, a notary public for the city aforesaid, in the State of Virginia, do hereby certify that the above is a correct extract from a paper on file in the office of the Dismal Swamp Canal Company, signed by Leroy G. Edwards, custodian of the said Dismal Swamp Canal Company.

Given under my hand and notarial seal this the 19th day of December, 1871.

[SEAL.]

W. M. CHAPLAIN,
Notary Public.

B.

Memorial of the Dismal Swamp Canal Company to the Senate and House of Representatives of the United States of America, December 30, 1874.

A memorial of the Dismal Swamp Canal Company was addressed to the Congress of the United States, dated December 20, 1871, asking for aid in the repair and improvement of the company's works, which, for various reasons, was prevented from coming up in time for consideration at the last two sessions. The petition is renewed, with the hope that the justice of the claim and the merits of the work will entitle it to a favorable consideration, for the following, among other reasons which might be offered:

The capital of the company at the present time is about $1,600,000, $486,000 of which is a *direct* subscription, and the balance ($1,114,000) is derived from the application of the revenues of the company for many years to the completion and improvement of the works.

In this capital the United States, as a stockholder, is interested to the extent of nearly one-half, or $750,000.

This canal connects the waters of the Chesapeake Bay with the sounds of North Carolina, and is a necessary link in the continuous chain of *inland* navigation extending from south to north in a coastwise direction. It commences in deep water very near the Norfolk navy-yard, and discharges into Pasquotank River, North Carolina, in deep water also, and before the late war was regarded by shippers as by far the most eligible and reliable, as well as the shortest and cheapest, route between the two States named. From the opening of this canal to commerce, many years ago, and down to the close of the late war, it was the route through which most of the products of North Carolina essential to the building and equipment of a naval marine at this and other points farther north was derived, and the diminution in the cost of ship-timber, pitch, tar, rosin, and other products necessary to the United States yards, can be fully estimated only by a comparison with their cost by the outside or sea route. And when to this we superadd the certainty and security, especially in time of war with a naval power, and the dispatch in the obtainment of these supplies, besides the maintenance at all times of the intercommercial relations of the States, free from interruption, we will not be surprised that the government at an early period should have recognized its national character and subscribed to its stock, and since, on several occasions, manifested an interest in its continuance. In 1822–'23 the United States appropriated $200,000 to the canal, represented by 800 shares of stock, and in 1832–'33 united with the company in dedicating their joint dividends to an improvement of common benefit to both. The company, as before said, has not paid dividends very regularly, preferring rather to expend its accruing revenue upon improvements, as occasion required, and in this way has created a work costing about $1,600,000 with a *direct* subscription of only $486,000. From this brief review, and the reports of the company, it will appear that the United States as a stockholder *merely* has derived from its stock about $136,000 in dividends, which is about *four-sixths of its subscription;* and, in addition, has reaped advantages from the works not shared in by the other stockholders, and which, in a pecuniary, military, and commercial aspect, as before adverted to, would probably by many times exceed the amount of its subscription. Again, the United States took entire possession of the works early in 1862, and continued to hold them through


DISMAL SWAMP
CANAL
CONNECTING CHESAPEAKE BAY
WITH CURRITUCK, ALBEMARLE AND PAMLICO SOUNDS
AND THEIR TRIBUTARY STREAMS
BY
D. S. WALTON, CIVIL ENGINEER
1867.
E. C. ROBINSON, PRES T
OFFICE
NORFOLK, VA.
Hosford & Sons 57 & 59 William St N.Y.
CHESAPEAKE BAY
ATLANTIC OCEAN
VIRGINIA
NORTH CAROLINA
STATE LINE
ALBEMARLE SOUND
PAMLICO SOUND
CURRITUCK SOUND
CROATAN SOUND
ROANOKE SOUND
CORE SOUND
BOGUE SOUND
BACK BAY
SOUTHAMPTON
NANSEMOND
ISLE OF WIGHT
NORFOLK
PRINCESS ANNE
GATES
HERTFORD
NORTHAMPTON
HALIFAX
EDGECOMBE
BERTIE
CHOWAN
PERQUIMONS
PASQUOTANK
CAMDEN
CURRITUCK
MARTIN
WASHINGTON
TYRREL
HYDE
BEAUFORT
PITT
CRAVEN
JONES
ONSLOW
CARTERET
DISMAL SWAMP CANAL
JERICHO CANAL
ORAPEAKE CANAL
RIDDICK CANAL
N. W. CANAL
A. & C. CANAL
Feeder Canal
LAKE DRUMMOND
PHELPS
PUNGO
ALLIGATOR
MATIMUSKEET LAKE
CATFISH LAKE
NORFOLK & PETERSBURG R.R. 80 MILES
SEABOARD AND ROANOKE RAIL ROAD
PETERSBURG & ROANOKE R.R. 60 MILES
WILMINGTON & WELDON R.R. 161
AIR LINE RAIL ROAD
SOUTHERN AIR LINE
PROPOSED SOUTHERN AIR LINE
PROPOSED ATLANTIC & NORTH CAROLINA R.R.
U.S. NAVY YARD
NORFOLK
PORTSMOUTH
Suffolk
Gloucester
York
Warrick
James River
Hampton Roads
Eliz. City
Old Pt. Comfort
Cape Henry
Cape Charles
Northampton
Light House
London Br.
Kempsville
C.H.
North Landing
Elizabeth R.
Lock Deep Creek
Lock Great Bridge
Old's Point
North Landing R.
Peat Mill
Pungo Bridge
Blackwater Riv.
Lake Drummond
Hickory Ground
N. W. River
Line House
Greentown
Currituck C.H.
Mackeys I
Knots I
Site of old Currituck Inlet
Lock South Mill's
Hintonsville
Parksville
Stigo
Indiantown
Jonesberg C.H.
Sawyers Ferry
Coinjock
ELIZABETH CITY
Cobbs Pt.
Shiloah
Poplar Branch
Currituck Sea Side Hotel
Nixeinton
Newbegun
Pasquotank River
North River
North River Pt.
Little River
Stephensons Point
Wades Point
Wades Point Light
Powells Pt.
Collingtons I
Nansemond River
New South Quay
Black Water
Nottoway
Monroe
Branchvill
Somerton
Reynoldson
Reddicksville
Weldon
Garysburg
Seaboard
Meherrin River
Murfreesborough
Buckland
Gatesville
Sunsbury
Sandy Cross
WINTON
Jackson
Woodland
HALIFAX
Richsquare
St. Johns
Harrellsville
Mintonville
Belvidere
Newbys Bridge
Pitch Landing
HERTFORD
Roxobel
Pine Forest
Enfield
Coleraine
Johnson Pt.
Hotel
Scotland Neck
Hintons Barn
Palmyra
J. Devereaux
Hills Ferry
Williams Landing
Apple tree Gut
Indian Highlands
Ashland
Chowan River
EDENTON
Johnstons Fishy.
Merry Hill
WINDSOR
HAMILTON
Black Gut
Roanoke
Coniott
Cashie R.
Roanoke River light
Cedar Landing
Roanoke River
PLYMOUTH
Union
Cool Spring
Lees
Mill Pt.
Newport
Scuppernong R.
Columbia
Pear Tree Pt.
Scuppernong
Collins Canal
Tarboro
WILLIAMSTON
Jameston
Bethel
Sparta
Penny Hill
Falkland
Benboro
Tar River
Maysville
Pactolus
Greenville
Tare Over
Alligator River
Mill Tail Cr.
Frying Pan
New Port News
Hallover Pt.
Caroons Pt.
Croatan Light
Nags head
Roanoke I.
Stumpy Pt.
Oregon Inlet
Body Island
Loggerhead Inlet
Chickamacomico Beach
Long Shoal Light
Long Shoal Riv.
Sandy Pt.
Fork Swamp
Leechville
Pantego
WASHINGTON
Ellison
Swan Pt.
Bath
Pungo
Pungo River
Montgomery
Germantown
Fairfield
Canal
Swindlett
Swan Quarter
Lake Landing
Middletown
Coxville
Snow Hill
Johnsons Mills
Blounts Creek
Pamlico River
Denham Cr.
Hickory Pt.
South Creek
Pamlico Point Light House
Hockerton
Kinston
Pughs Mills
Neuse River
Swift Cr.
Bay River
Milton Park
Neuse River Light
Brandts Island Light
Royal Shoal Light
North West Royal Shoal Light
Nine feet Shoal Light
Beacon Island light
Light
Portsmouth
Ocracoke Inlet
Hatteras Inlet
Cape Hatteras
Harbor Is. Shoal Light
Hog I
Cidar I
Long Bay
Marsh Pt.
Hills Pt.
NEWBERN
Trent R.
Trenton
Pollocksville
Comfort
Royal Oak
Richlands
Haw Branch
Catharine Lake
Joungs
Alum Spring
Palo Alto
Onslow C.H.
Piney Green
Simmons
Stones Bay
New River
Angola
Hurst
Swansboro
White Oak Riv.
Hadnots
Caroline City
Shepherds Point
BEAUFORT
Smyrna
Straits
Cape Lookout
37°
36° 30
36°
35° 30
35°

an agent of the then Secretary of the Treasury until after the close of the late war. During all this time it was beneficially used by the government without any compensation, for military and commercial purposes; in the conveyance, to and fro, of troops, munitions of war, and stores; in supplying water for the Army and Navy, and in the transportation of cotton, tobacco, and other products, sanctioned, at that time, by the government, and when, finally, the work at the end of the war ceased to be of any further military or commercial necessity it was surrendered to the company in a condition of great dilapidation, the effect jointly of neglect and hard usage. (See appendix.) A work so generally beneficial and of such promise of success, which had been built up after so many years of effort and self-denial in the use of its revenues in order to complete an insufficient capital, was deemed worthy of restoration, and efforts have been made by the company, by issuing its bonds, in order to repair the damages alluded to and introduce some necessary improvements, without other aid; but this has been only partially successful, leaving the works in a very unfinished state. We therefore indulge the hope that from considerations of sound policy and national necessity; the large pecuniary interest of the United States; the many advantages of a safe and cheap transit extending through so many States, and connecting with so many sites for naval operations, combined with the fitness of recognizing, in some appropriate manner, its value in a time of national exigency, and redressing injuries sustained while in the exclusive use of government, our application will meet the favorable consideration of Congress. The United States thus far has received in dividends and in collateral benefits a remuneration much larger than its subscription to this work, and we believe it furnishes the only instance where the aid of Congress to works of internal improvement has been repaid. The estimated cost of repair and improvement is as follows:

Dredging and deepening main canal of 29 miles	$70,000
Dredging and deepening feeder, including new lock for same	15,000
Rebuilding two locks, one at Deep Creek, the other at south end, each 30 by 165 feet	110,000
Rebuilding Gilmerton lock, 30 by 165 feet, using much of the old stone	38,000
Completing excavation of summit-level and widening canal throughout from 30 to 60 feet	115,000
Steam-dredges for above work	30,000
Rebuilding bridges of more substantial kind	7,000
Incidental structures, such as repairs of Deep Creek, dam, waste-weirs, lock-houses, &c	17,000
Total	402,000

We present it without suggestion as to the mode and measure of relief from Congress, and your petitioners praying, &c.

APPENDIX.

[Extract from a paper filed in the office of the Dismal Swamp Canal Company, signed by Leroy G. Edwards, custodian of the Dismal Swamp Canal Company.]

To the Stockholders of the Dismal Swamp Canal Company:

I beg leave to lay before you a succinct history of the Dismal Swamp Canal during the late war:

In the latter part of the summer of 1862, the United States forces took possession of the work. They gave us much trouble. Mr. Henry Williams has given his deposition,

and it has been filed in the Treasury Department at Washington. I was restricted in everything until I received a commission from said department as proxy of the government in consideration of the eight hundred shares held by it in said company. This was in November, 1863, and enabled me to save the work from entire destruction. Before that I had been treated with disrespect. The books of the office were taken from me, with the building which contained them; my desks were broken open, and a destruction of my papers was perpetrated, and the office not restored to me until the last military command was withdrawn.

I think the United States Government have been benefited to the full extent of the amount necessary to rebuild the work. The watering of the Army and Navy would be but a small charge at $3,000 per month, and every regiment of horsemen, at the usual rate of road-toll (25 cents each), to say nothing of carriages, would amply pay for keeping the banks. Surely they will do us justice ultimately. Then the supplies for the armies, provender, stores, &c., I cannot doubt that we shall be paid.

Goods were carried through under military permits. I asked payment of tolls, which was refused. I tested my power to stop vessels, as in the case of the steamer Dolly. I was informed by the officer of the day that my detaining vessels with military permits would subject myself to arrest and imprisonment, which I was not willing to incur, and I made no further attempt to stop any vessel, but contented myself to receive anything which might be tendered me. The cotton-traders I noted only, and I feel assured that some of them will pay ultimately; perhaps the pay will come when we most need it. I afforded every facility, and was often "out of pocket" in doing so. I made several attempts to get aid from the department, and went twice to Washington for that purpose. I will thank you to examine paper No. 2, directed to the Secretary of the Treasury, and his reply marked No. 3.

STATE OF VIRGINIA,
City of Norfolk, to wit:

I, W. M. Chaplain, a notary public for the city aforesaid, in the State of Virginia, do hereby certify that the above is a correct extract from a paper on file in the office of the Dismal Swamp Canal Company, signed by Leroy G. Edwards, United States custodian of said Dismal Swamp Canal Company.

Given under my hand and notarial seal this the 19th day of December, 1871.

[SEAL.] W. M. CHAPLAIN,
Notary Public.

C.

Annual report of the president and directors to the stockholders of the Dismal Swamp Canal Company, for the fiscal year ending September 30, 1871.

ANNUAL MEETING.

At an annual meeting of the stockholders of the Dismal Swamp Canal Company, held pursuant to notice, on the 6th day of November, 1871, at the office of the company, in the city of Norfolk, C. W. Newton, esq., was called to the chair, and Geo. E. Bowden, jr., appointed secretary, and E. C. Robinson and Maurice Fitzgibbon committee to examine proxies and number of shares present, who, on examination, reported present 1,383 shares.

The president, Wm. B. Rogers, read his report showing the condition of the company, &c., which, on motion, was received and ordered to be filed.

The report of the committee to examine the condition of the canal, account, &c., was read, and, upon motion, was received and ordered to be filed.

On motion, it was

Resolved, That the report of the president, with the recommendations and suggestions therein, including those with regard to the reopening, &c., of the Northwest Canal, and also as to the advantage to this company of turning over to a new company the use of said Northwest Canal, or repairs thereof for their own use, be referred to the president and board of directors for immediate action, and report to the stockholders at an early day, for their action on the subject of the Northwest Canal.

On motion, it was

Resolved, That the president and directors be requested to remodel their tariff of tolls so as to increase revenue without risking competition from other quarters, within the limits prescribed by their charter; and, if necessary, to apply to the legislatures of the States of North Carolina and Virginia to extend the rates now allowed.

On motion, it was

Resolved, That the president and directors be, and they are hereby, instructed to defend the rights of the canal company against any intrusion or violation of our rights to the waters of the canal and of Deep Creek under the charter of our company; and that they, upon any such intrusion, shall immediately procure an injunction, so as to prevent any violation of our rights; and that the board of water commissioners of the city of Norfolk be furnished a copy of this resolution.

On motion, the salary of the president was fixed at $1,500 per annum.

On motion of E. C. Robinson, William B. Rogers was nominated for re-election to the position of president of the company.

Whereupon he was unanimously re-elected.

John B. Whitehead, W. H. C. Ellis, D. D. Simmons, and E. C. Robinson were then elected directors for the ensuing twelve months.

On motion, C. W. Newton was appointed as an associate of the president and directors to prepare memorial to Congress.

On motion, the meeting adjourned, subject to the call of the chairman.

GEO. E. BOWDEN,
Secretary.

REPORT OF PRESIDENT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1871.

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, Va., November 6, 1871.

To the stockholders of the Dismal Swamp Canal Company:

GENTLEMEN: On behalf of your board of directors, I have the honor to submit the following report of the condition of the affairs of the company for the fiscal year which ended on the 30th of September past.

Since the last report, great progress has been made in dredging and widening, reaching a point of 3¾ miles from beginning on the westward side and 2 miles on the eastward side of the canal. Obstructions have been removed at intervals, as necessity indicated, locks kept up, and bridges repaired.

The westward side of the locks at Deep Creek having fallen in, an interruption to navigation ensued, of some thirty days. All expedition was used in replacing the masonry.

At your called meeting on the 15th of July last, in consequence of the financial condition of the company, it was your pleasure to pass a series of resolutions, one of which embraced a suspension of all general work on the canal.

Since that period, under a personal superintendence, we have strictly confined ourselves within the spirit of those resolutions, kept the roadbed in order, and made only such repairs (inclusive of the bracing of the westward side of the Deep Creek lock) as were necessary to naviga-

tion, with strict regard to economy in our administration, and the increase of revenue.

We have to report the canal in good navigable condition for its present capacity, with the exception of the Gilmerton Level and Turner Cut, which we recommend to be dredged as early as circumstances will permit.

We have had some recent repairs to the bridge over the south locks. The bridge will require rebuilding, which we recommend as early as practicable.

In reference to the completion of the widening of the canal and the removal of the summit level, upon which so much has been expended, and which will make no addition to its capacity or add to its revenue unless carried to completion, it may be well to refer to some of the reasons which originated the improvement. It is a fact well known that at the time of projecting and building the work, it was considered to have sufficient capacity for the trade. Some years later a rival canal, the Albemarle and Chesapeake, was inaugurated and completed, affording facilities of navigation to a much greater extent, and the consequent destruction of vessels during the war which were particularly adapted to the navigation of our work, coupled with the fact that foreign capital had combined to have constructed a much larger class of vessels, which could not pass our locks, and adapted to the navigation of the Albemarle and Chesapeake Canal, our revenue, confined almost entirely to local trade, was continuously reduced until it reached the small sum of some $7,000 per annum.

This revenue has been increased to twelve and thirteen thousand dollars, and we hope to increase it yet further, even with our present facilities; yet we cannot reasonably hope for successful competition unless the work is carried to completion. In view of the large benefits which have resulted to the United States Government in the past, and the prospective benefits, I would recommend the appointment of a committee to draught a memorial to Congress, duly setting forth all the facts in the case, and the same to be forwarded to our Representative, the Hon. Mr. Platt, and the Representative for the State of North Carolina, soliciting their hearty co-operation.

We refer to the following reports:

Treasurer's report, showing the financial condition of the company.

Collector's report, showing the inward and outward receipts during the fiscal year, and the number and classes of vessels passing and repassing.

Report of examining committee for the condition of the work.

We have received some intimation, but have not been officially informed by the board of water commissioners, of their design to draw their supply from the waters of Deep Creek. It is a fact well attested, that during two months of the year, with all our waste water from the canal into the basin, there is no subwaste over the lower dam, thus requiring all the water for navigation. A reduction of one inch during those periods would prevent navigation. It may be inquired, cannot we deepen the river or basin? We can, at much expense, and which expense would be continuous, as the tendency would be continually to fill up from a widened base of mud bottom; and we are not called upon to make improvements for other corporations.

It has been suggested that a reservoir could be constructed at the upper portion of the creek, to guard against this difficulty. For authority, however, to moke any contract, we refer to the three acts of the

assembly passed February 4, 1837, February 2, 1838, and February 9, 1839.

In accordance with a resolution of our board, verbal protest has been made to the chairman of the water commissioners against the use of the water, which was designed to be followed by a written protest, all of which, and for further action, is referred to you.

The Northwest Canal, a portion of our work, has been closed for some years.

There is considerable revenue to be derived from this branch of the canal, and the good people of that section much benefited. To find a market for their timber, &c., they are now forced to the North River, through the Albemarle and Chesapeake Canal, a distance of over one hundred miles, which would be reduced to twenty-two miles through our work.

I refer you to a petition of the people of the counties offering to loan our company $15,000 of their county bonds to assist in clearing the obstructions from this canal, and requiring us to appropriate a portion of the earnings from this branch for interest and the gradual absorption of the bonds.

Some objections have been made by others than the petitioners to the opening of this branch canal, while complaints are made of the overflow of the lands bordering upon the same, and they suggested a remedy, by providing a waste-gate and shut-off, to be placed at the intersection of the main and Northwest Canal.

We would respectfully call your attention to a careful consideration of the matter.

Before closing this report, we would call your attention to the item of $1,410.27, credited to Leroy G. Edwards, noted in the treasurer's report. Judgment has been obtained on this. The account credited to bills payable, old account, $21,811.97, has reached judgment in favor of Mrs. R. Tunis and W. B. Isaacks, of Richmond. And the disputed claim of Danliel J. Turner has resulted in judgment against the company, amounting to some $22,000.

All of which is respectfully submitted.

W. B. ROGERS,
President.

REPORT OF THE EXAMINING COMMITTEE.

OFFICE OF THE DISMAL SWAMP CANAL COMPANY,
Norfolk, November 3, 1871.

To the stockholders of the Dismal Swamp Canal Company:

The undersigned, a committee of examination, appointed at your meeting held July 15, 1871, respectfully submit the following brief report:

At the instance of the president, and in company with some of the directors and stockholders, we visited the canal, passing up as far as the Culpeper lock. The canal is in good condition for the accommodation of such navigation as is offering. From observation and representations from other sources, it appears to be very desirable, if not necessary, to remove some obstructions to navigation in the Turner Cut, also in the Gilmerton level, these being the only portions of the work where there is any difficulty of navigation for such vessels as your locks are adapted to; and we have reason to believe the trade and revenue would

be materially increased by such improvement. The brief period that has elapsed since our last report leaves but little to say in addition.

An examination of the books and papers of the office shows satisfactory vouchers, duly numbered and indorsed, for all money transactions to the end of the fiscal year, September 30, 1871. We find the revenue for the past months moderately increased over corresponding months last year.

The road is kept in good repair, and we take pleasure in stating that the officers and employés along the line give general satisfaction.

The bond of the treasurer, with satisfactory sureties, is in the possession of the company, duly executed.

All of which is respectfully submitted.

E. C. ROBINSON.
D. S. CHERRY.

TREASURER'S REPORT.

Statement of the condition of the Dismal Swamp Canal Company, October 1, 1871.

Cost of property	$486,000 00	Cost of property	$486,000 00
Profit and loss account	111,624 61	Bills payable, old account	21,811 77
Salaries of general officers	2,401 39	Bills payable, new account	6,351 66
Office expenses	154 85	First-mortgage bonds	181,000 00
Law fees and taxes	409 53	Leroy G. Edwards	1,410 27
Interest account	986 47	Pay-rolls	103 74
Interest on funded debt	13,349 90	Revenue account	12,739 60
Canal tolls	2,456 85		
Road tolls	360 00		
Enlargement and repairs	90,489 05		
Cash	526 57		
Revenue account	282 81		
Farmers' Bank of Virginia	66 72		
W. R. Overton	130 86		
Dismal Swamp Land Company	181 43		
	709,417 04		709,417 04
Cost of property	486,000 00	Capital stock	$486,000 00
Profit and loss account	119,282 81	Bills payable, old account	21,811 77
Enlargement and repairs	90,489 05	Bills payable, new account	6,351 66
Cash	526 57	Eight per cent. first-mortgage bonds	181,000 00
Farmers' Bank of Virginia	66 72	Leroy G. Edwards	1,410 27
W. R. Overton	130 86	Pay-rolls	103 74
Dismal Swamp Land Company	181 43		
	696,677 44		696,677 44

RECEIPTS

Of the Dismal Swamp Canal and Road for the year ending September 30, 1871.

INWARD OR NORTH TOLLS.

Coopers' logs	cords.	4,341	Reeds	cords.	872
Corn	bushels.	127,235	Rails	M.	59,320
Cotton	bales.	2,073	Staves	M.	141,686
Fish	barrels.	3,578	Shingles		3,053,900
Flaxseed	bushels.	22	Railroad-ties	M	167,113
Peat	tons.	150	Timber	cubic feet.	64,394
Posts		7,768	Telegraph-poles		398
Plank	M feet.	332,210	Tar	barrels.	151
Potatoes	bushels.	3,939	Wood	cords.	6,864
Peas	bushels.	2,026	Wheat	bushels.	3,149
Tons					7,779

OUTWARD OR SOUTH TOLLS.

Apples	barrels.	14	Oats	bushels.	50
Bricks	M.	2,000	Pork	barrels.	510
Butter	kegs.	32	Powder	kegs.	31
Buckets	dozen.	8	Plows		188
Brooms	dozen.	6	Plank	M.	7,000
Cakes	barrels.	102	Potatoes	barrels.	10
Coal	tons.	70	Rope	coils.	56
Coffee	sacks.	151	Sugar	barrels.	418
Cheese	boxes.	75	Spirits	barrels.	316
Crockery	crates.	30	Salts	sacks.	1,348
Corn	bushels.	1,493	Snuff	jars.	211
Chairs	dozen.	13	Shot	bags.	104
Flour	barrels.	2,384	Shoes	boxes.	231
Fish	barrels.	25	Salt	bushels.	2,300
Hay	bales.	128	Sugar	hhds.	19
Lime	barrels.	598	Soap	boxes.	450
Laths	M.	7,000	Tobacco	boxes.	316
Molasses	barrels.	466	Trunks		40
Merchandise	cubic feet.	8,617	Tar	barrels.	8
Meal	bushels.	270	Vinegar	barrels.	4
Nails	kegs.	188	Wheat	boxes.	4
Oil	barrels.	63			
Tons					9,825

Inward tolls	$9,835 80
Road tolls	588 06
Outward tolls	2,315 75
Rents	58 00
	12,797 60

REMARKS.—Canal closed by ice from December 24, 1870, until January 6, 1871. Canal closed for repairs of Deep Creek lock during the month of May, 1871.

Number and class of vessels passing through the Dismal Swamp Canal during the year ending September 30, 1871.

Date.		Steamers.	Schooners.	Sloops.	Lighters.	Boats.	Rafts.
October, 1870	North	22	17	8	103	1	1
	South	22— 44	19— 36	2— 10	15—118	6— 7	6— 7
November, 1870	North	23	11	5	100	2	3
	South	23— 46	18— 29	7— 12	11—120	1— 3	0— 3
December, 1870	North	20	12	10	86	6	7
	South	10— 40	25— 37	5— 15	15—101	6— 12	0— 7
January, 1871	North	10	11	5	87	0	6
	South	18— 37	13— 24	10— 15	16—103	0— 0	0— 6
February, 1871	North	16	18	7	114	2	4
	South	15— 31	14— 32	8— 15	16—130	4— 6	0— 4
March, 1871	North	24	23	8	144	1	1
	South	23— 47	22— 45	3— 11	18—162	1— 2	1— 2
April, 1871	North	23	30	8	106	6	4
	South	23— 46	23— 53	2— 10	19—125	8— 14	0— 4
May, 1871*	North	17	4	1	30	6	4
	South	16— 33	3— 7	3— 4	3— 33	0— 6	0— 4
June, 1871	North	18	9	6	153	2	2
	South	17— 35	11— 20	4— 10	17—170	5— 7	0— 2
July, 1871	North	28	7	5	87	1	3
	South	29— 57	11— 18	7— 12	12— 97	5— 6	0— 3
August, 1871	North	29	12	4	90	1	1
	South	30— 59	10— 22	3— 7	11—101	1— 2	0— 1
September, 1871	North	24	16	2	96	1	2
	South	23— 47	13— 29	1— 3	14—110	0— 1	0— 2
Total		522	352	134	1,372	66	39

Total number of vessels of all sizes 2,475

*Canal closed to repair Deep Creek lock.

JAMES T. CARR,
Collector Dismal Swamp Canal Company.

Annual report of the president and directors to the stockholders of the Dismal Swamp Canal Company for the fiscal year ending September 30, 1872.

REPORT OF EXAMINING COMMITTEE.

The undersigned, members of the examining committee appointed at your last annual meeting, respectfully report:

On Saturday, November 2, we, in company with the president, proceeded to Deep Creek for the purpose, as far as practicable, of a personal examination of matters particularly under our supervision. In view of the fact that all new work had been suspended during the past year, we are only enabled to make the following brief statement: From personal investigation, and from other reliable information, we are satisfied in representing that the operations of the canal have been conducted for the past year satisfactorily, affording accommodation to all the trade offering.

All necessary repairs have been made as far as practicable and the resources of the company would justify.

The books of the company exhibit every item of expenditure, with vouchers for each entirely satisfactory.

The president's report can alone present the affairs of the company in detail.

In conclusion, would remark that in our judgment the interest of the stockholders is properly protected under the present management.

Respectfully submitted.

B. P. LOYALL.
DANIEL S. CHERRY.
W. C. MARROW.

REPORT OF THE PRESIDENT.

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, Va., November 4, 1872.

To the stockholders of the Dismal Swamp Canal Company:

GENTLEMEN: On behalf of your board of directors, I have the honor to submit the following report of the condition of the affairs of the company for the fiscal year which ended on the 30th of September past.

Referring to resolution 1 of the last annual meeting of your body here quoted:

Resolved, That the report of the president, with the recommendations and suggestions therein, including those with regard to the reopening, &c., of the Northwest Canal, and also as to the advantage to this company of turning over to a new company the use of said Northwest Canal, or repairs thereof for their own use, be referred to the president and board of directors for immediate action, and report to the stockholders at an early day for their action.

In accordance with the authority above quoted, we proceeded at once to make deed of lease and transfer to the proposed new company, but a completion of the same was prevented in consequence of a declination on the part of the new company to treat further on the subject, owing to the present complications in the way of legal transfer of rights under present mortgages, &c.

The result has proven beneficial to our company. We have passed through a year of almost unparalleled dryness, and to prevent interruption to navigation found it necessary to dam across the Northwest Canal, the utility of which has been subsequently proven, as we had to husband all our resources of water, and our action in the premises has also removed a heretofore fruitful field of complaint from the adjacent land-holders. The bed of the small canal is now as dry as the road-bed.

Resolution 2 of your last meeting:

That the president and directors be requested to remodel their tariff of toll so as to increase revenue without risking competition from other quarters within the limits prescribed by their charter; and, if necessary, to apply to the legislatures of the States of North Carolina and Virginia to extend the rates now allowed.

Under this resolution we have prepared and enforced a tariff, the result of which is fully apparent in our finances.

Resolution 3 of your last meeting:

That the president and directors be, and they are hereby, instructed to defend the rights of the canal company against any intrusion or violation of our rights to the water of the canal and of Deep Creek under the charter of our company; and that they, upon any such intrusion, shall immediately procure an injunction, so as to prevent any violation of our rights; and that the board of water commissioners of the city of Norfolk be furnished a copy of the resolution.

After a conference with some of our old stockholders, who have given indisputable evidence of their interest in the success of our work, we deemed it advisable, in connection with our present able counsel, Mr. W. H. C. Ellis, to retain General John S. Millson. A correspondence was held by the president with the chairman of the board of water commissioners,

and the subsequent action of the water board (having made another selection for water) has, for the time at least, fully disposed of this matter.

Enlargement, repairs, and improvements.

Much has been accomplished during the year in way of repairs and improvements. The dam dividing Deep Creek from the Elizabeth River having to some extent given way, has been put in complete order, and is now safe against full tides and gales.

The gates at Deep Creek were built some thirty years ago, and the middle gate threatened a burst-up daily. An occurrence of the kind would necessarily be attended with great loss to property, and perhaps life. We therefore had built and placed in position a new gate.

The gates at Culpeper locks, built some years since, are inferior in the quality of the timber used in their construction, and have afforded much trouble in the leakage of water, and have been one of the items of expense to keep in order. We have but recently completed some repairs of the same.

Also, repairs have been made to the locks at Northwest, and to the gates, which are not in good condition, and will require further repairs. We have dredged the canal to some extent, but there now remains several shoal places, which will require further dredging during the year.

The road-bed is in very fair order, and we have opened, and are yet opening, ditches to the extent of ten miles. About six miles of this ditching is 20 feet on the bank and 11 to 12 feet at the base—quite a canal, as you perceive.

In the wisdom of our predecessors, some thirty years ago, these ditches were made to carry off the sweat-water, and for the past fifteen years have been more or less closed by the continuous washing and filling. This has been a source of annoyance to the company for many years, and recently suits have followed complaints. We decided to remove this difficulty, though at a very heavy expense to the company, but which results eventually to the good of the same, and will materially aid in keeping in order the road-bed, &c. Our obligations are now out for some $2,000, which will complete this branch of the work.

The propriety of this expenditure may be questioned. None will deny, however, that where an obligation exists to cut sweat-ditches it is continuous to keep the said ditches open, unless provided for to the contrary in the original compact.

The bridge at South Mills, in consequence of decay, has been removed. We have prepared a ponton-bridge, which meets the demand until we can build a new one, and which we recommend to be done as early as possil le.

The bridge over the Gilmerton Cut is so much decayed as to be unsafe for travel. We therefore recommend that it be replaced by a new work at once.

As previously intimated, we recommend the dredging of the entrance to the canal at Gilmerton, at the Feeder, the Half-way House, and several other shoal points, embracing altogether about one and a half miles. The work which has been done, and which we now recommend, is essential to the welfare of the canal were we now in condition to enlarge as contemplated.

The revenue is important, and this would be continued and increased until we were ready to build new locks, &c.

It was your pleasure at your last meeting to associate with our directory, for the purpose of preparing a memorial to Congress, Col. C. W.

Newton, and we are gratified to acknowledge our obligation to him for the able manner in which he has discharged that duty. He is entitled to the warm thanks of every stockholder of the company.

We are also much indebted to our Representative, Col. James H. Platt, who has ever evinced the utmost readiness to serve us in the presenting of our memorial, &c. It has been referred to the Committee on Commerce, and should be urged upon the attention of Congress. We are gratified further to say that a survey of the canal and an examination of the estimates we made was ordered by the government, which resulted favorably, and was a full indorsation of our estimates, the amount being increased about $38,000, and now calling for $440,000. This recommended increase resulted from a conclusion to extend the new lock to 225 feet in length, previously estimated for at 165 feet.

TABLE A.—FINANCE.

This table exhibits the operation for the year ending the 30th of September:

Condition of books prior to balance.

Cost of property	$486,000 00	Capital stock	$486,000 00
Profit and loss account	126,810 39	First-mortgage bonds	200,000 00
Salaries general officers	1,700 66	Bills payable *ante bellum*	21,811 87
Office-expenses	404 86	L. G. Edwards	888 90
Law-fees	25 00	Revenue-account	19,998 90
Interest on funded debt	14,555 00		
Discount or interest-account	797 79		
Canal-tolls	2,673 62		
Road-tolls	60 00		
Enlargement and repairs	95,435 82		
Cash account	236 43		
	728,699 57		728,699 57

TABLE B.

Present condition of books.

Cost of property	$486,000 00	Capital stock	$486,000 00
Profit and loss account	127,028 42	First-mortgage bonds	200,000 00
Enlargement and repairs	95,435 82	Bills payable	21,811 77
Cash account	236 43	L. G. Edwards	888 90
	708,700 67		708,700 67

JOHN E. DOYLE,
Treasurer.

That the report may be fully intelligible to every stockholder, we proceed to make some comments upon the different tables:

The coupon-interest on $200,000 8 per cent. bonds amounts to	$16,000 00
Report, Table A, shows	$14,555 00
Discount paid	707 79
	15,352 79

The difference between the full interest and the amount charged we proceed to explain:

The entire coupon-interest was provided for, but at the close of our

fiscal year nine coupons had not been presented, and consequently was charged back, thus crediting funded-debt interest-account with the amount. Secondly, we deducted from the coupons paid 3¾ per cent., a Virginia State tax, which had been also charged to funded debt. The holding of this tax was protested against by the coupon-owners, and, under advice, we have made no disposition of the same, only crediting funded-debt interest-account with the amount so charged. Since the close of our fiscal year five of the coupons have been presented and paid, and will appear in the next report.

This table also presents a very gratifying increase of our revenue for the year—about 60 per cent. over the previous year—and a large diminution of expenses.

After the adjournment of the last annual meeting, some of the stockholders were anxious to know the items which constituted the profit and loss account, then amounting to $119,282.81, per report. This account was created prior to our administration, and has since been increased by closing an item of account against W. R. Overton, $130.86; Farmers' Bank of Virginia, *ante bellum*, $66.72; and the loss consequent upon a sale of the residue of the bonds, which had also been previously pledged to the banks for moneys borrowed and disbursed, and the total of which account, now amounting to $127,028.42, fully itemized, is presented with the report, marked Table C. Table D exhibits the receipts of the canal, north and south, during the year, and Table E the number and class of vessels passing through the same.

Before closing this report, we must be permitted to say that during the year the canal has been much improved and its revenues largely increased. The great importance of opening up this highway of trade and commerce is daily demonstrated, and we would urge upon you the investment by your president with full powers and authority to press upon the attention of the next session of Congress the national importance of the same to the government. You, as stockholders, can best judge of its importance to yourselves.

All of which is respectfully submitted.

W. B. ROGERS, *President.*

TABLE D.

Receipts of the Dismal Swamp Canal and Road for the year ending September 30, 1872.

INWARD OR NORTH TOLLS.

Corn	bushels.	204,470	Potatoes	bushels.	13,128
Cotton	bales.	1,365	Posts		14,058
Chickens	M.	22,133	Reeds	cords.	113
Cattle		604	Rails	M.	264,650
Fish	barrels.	8,606	Rags	pounds.	20,990
Flaxseed	bushels.	166	Staves	M.	179,975
Eggs	dozen.	53,523	Shingles	M.	3,208,980
Hides		460	Shad	M.	117,134
Iron	pounds.	62,500	Ties	M.	257,209
Logs, coopers'	cords.	7,108	Timber	cubic feet.	16,298
Pease	bushels.	4,994	Wood	cords.	5,111
Plank	M.	127,120	Wheat	bushels.	6,419
Piles		664			
Inward passengers					3,614

OUTWARD OR SOUTH TOLLS.

Apples	barrels.	17	Oats	bushels.	198
Bricks	M.	6,600	Pork	barrels.	730
Butter	kegs.	116	Powder	kegs.	20
Buckets	dozen.	12	Plows		301
Bacon	pounds.	31,050	Plank	M.	14,741
Brooms	dozen.	8	Potatoes	barrels.	234
Cakes	barrels.	94	Rope	coils.	25
Coal	tons.	79	Sugar	barrels.	213
Coffee	sacks.	210	Spirits	barrels.	317
Cheese	boxes.	117	Salt	sacks.	1,267
Crockery	crates.	23	Snuff	jars.	236
Corn	bushels.	1,228	Shot	bags.	97
Chairs	dozen.	28	Shoes	boxes.	194
Flour	barrels.	5,580	Salt	bushels.	4,850
Fish	barrels.	158	Sugar	hhds.	4
Hay	bales.	129	Soap, &c	boxes.	2,198
Lime	casks.	3,633	Stoves		34
Laths	M.	3,000	Tobacco	boxes.	812
Molasses	barrels.	420	Trunks		10
Merchandise	cubic feet.	9,885	Tar	barrels.	20
Meal	bushels.	249	Vinegar	barrels.	12
Nails	kegs.	146	Wine	barrel.	1
Oil	barrels.	112			
Outward passengers					3,588

S. W. GARY, *Collector.*

TABLE E.

Report of the number and class of vessels passing through the Dismal Swamp Canal for the year terminating September 30, 1872.

Year and month.	Steamers.	Schooners.	Sloops.	Boats.	Lighters.	Rafts.	Total.
October, 1871	54	58	11	9	110	.....	242
November, 1871	43	54	7	2	125	2	233
December, 1871	43	33	3	.....	127	2	208
January, 1872	58	39	14	1	125	2	239
February, 1872	50	31	17	.....	109	1	208
March, 1872	53	53	24	.....	140	2	272
April, 1872	55	52	19	6	148	1	281
May, 1872	46	58	8	26	131	1	270
June, 1872	39	31	8	2	112	1	193
July, 1872	43	31	9	11	94	.....	188
August, 1872	39	28	6	3	91	.....	167
September, 1872	32	12	7	7	81	2	141
Total	555	480	133	67	1,393	14	2,642
North	275	244	70	35	1,253	14	1,891
South	280	236	63	32	140	.....	751

S. W. GARY, *Collector.*

Annual report of the president and directors to the stockholders of the Dismal Swamp Canal Company for the fiscal year ending September 30, 1873.

REPORT OF EXAMINING COMMITTEE.

To the stockholders of the Dismal Swamp Canal Company:

GENTLEMEN: We have the honor to report that on Friday, 31st ult., by invitation of the president of the company, we proceeded to examine

the condition of your canal. As far as practicable we found that there is no obstruction to navigation in any department of the work, and we take great pleasure in the fact that the canal has not been closed for work or repair during the past year. In addition to the ordinary work necessary, the president has been obliged to renew three of the bridges over the canal, which has been no small tax upon the resources of the company.

If the means were at the command of the president for dredging even in a small degree, we believe the trade through the canal would rapidly increase.

In closing this report, we feel it but due to the president and other officials of the canal company to compliment them upon the management of the affairs of the company. The books of the company exhibit every item of expenditure with satisfactory vouchers.

Respectfully submitted.

B. P. LOYALL.
W. C. MARROW.
DANIEL S. CHERRY.
GEORGE NEWTON.

PRESIDENT'S REPORT.

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, Va., November 3, 1873.

To the stockholders of the Dismal Swamp Canal Company:

GENTLEMEN: On behalf of your board of directors, I have the honor to submit the following report of the condition of the affairs of the company for the fiscal year which ended on the 30th of September past:

Table A.—Finance.
Table B.--Receipts, inward and outward.
Table C.—Number and class of vessels passing through.

Repairs and improvements.

My report for 1872 calls attention to the condition of the gates at Northwest locks. I found it absolutely necessary to build, and have placed in position, two sets of gates. Those at the Culpepper locks having entirely worn out, we also built a set of gates for that lock.

Have built during the year three bridges; one over South Mills, to replace the ponton structure in temporary use, one over Deep Creek, and one over Gilmerton. The former bridges have been doing service for some twenty-five years, and were entirely worn out, and their replacement by new structures a necessity imperatively demanded. The roadbed is in very good condition, having been much improved the past twelve months, sweat-ditches completed, noticed in the last report, and the continuation of about one mile more will complete the same to the line of the canal.

Dredging to some extent has been done, obstructions removed at the entrance to the work at Gilmerton, and at various other points. The dam across the Northwest Canal broke, and has been replaced by a new and stronger work. This was attended with some cost, but was unavoidable.

The work done upon the canal during the year has so improved the same that we do not hesitate to pronounce its condition an advance upon any term for the past twenty years. If the finances of the company would permit, I would recommend the dredging of the canal for some twenty miles, removing about one and one-half feet from the bot-

tom. The advantage in the increased revenue would soon be very apparent. One-half or more of a class of vessels navigating our canals would eagerly seek this avenue, that now hesitate in consequence of the draught of water; and in this connection you will pardon me for urging upon you the further pressing of your application for relief to the next Congress of the United States. The government, as you are aware, owns eight hundred shares of stock, and the revenues having been appropriated as far as practicable to the improvement of the work, strengthens our claim for the aid asked. Before closing, I would call your attention to our present financial condition, inclusive of some of the items of Table A.

To carry out the improvements necessary and ordered, we were compelled to incur some indebtedness, the balance of which, on the 30th of September, was $7,500. Our charge against funded debt interest-account and discount-account shows $17,831.91. The annual coupon interest is $16,000, and this amount has been increased by the payment of some coupons not presented at last report, discounts paid to banks, and the further payment of some $1,000 left as an incumbrance by the former president.

The improvements have cost nearly $7,500. I estimate that $1,000 will be sufficient for this branch during the year. The revenue of the company evidenced an improvement in the last report of 60 per cent., and shows an improvement of 10 per cent. for this year. I hope a continued improvement (unless affected by the financial condition of the country).

This improvement must be decided, however, to enable us to meet the floating debt incurred for the improvements mentioned, pay the annual charges for management, and the regular coupon interest to the bondholders.

All of which is respectfully submitted.

W. B. ROGERS,
President.

TABLE A.—FINANCE.

This table exhibits the condition of the books prior to and after balance for the year ending the 30th of September, 1873.

Condition of the books prior to balance.

Cost of property	$486,000 00	Capital stock	$486,000 00
Enlargement and repairs	102,660 68	Bills payable, old account	21,811 77
Profit and loss account	127,028 42	Bills payable, new account	7,500 00
Salaries general officers	1,783 33	First-mortgage bonds	200,000 00
Office expenses	338 90	L. S. Edwards	888 90
Law fees	135 00	Revenue account	22,153 46
Funded debt interest and discount	17,831 91		
Canal tolls	2,356 00		
Cash account	219 89		
	738,354 13		738,354 13

Condition of books after balance, September 30, 1873.

Cost of property	$486,000 00	Capital stock	$486,000 00
Enlargement and repairs	102,660 68	Bills payable, old account	21,811 77
Profit and loss account	127,320 10	Bills payable, new account	7,500 00
Cash account	219 89	First-mortgage bonds	200,000 00
		L. S. Edwards	888 90
	716,200 67		716,200 67

TABLE B.

Receipts of the Dismal Swamp Canal and Road for the year ending September 30, 1873.

INWARD OR NORTH TOLLS.

Apples	barrels	60	Meal	bushels	1,911
Bacon	lbs	42,466	Oats	bushels	870
Buoys		20	Potatoes	bushels	2,524
Corn	bushels	186,337	Pease	bushels	2,373
Cotton	bales	2,168	Posts	M	8,950
Chickens	M	25,158	Paving	cords	1,028
Cattle		404	Piling	feet	34,936
Empty barrels		547	Rails	M	188,680
Eggs	dozen	78,000	Rags	lbs	36,800
Fish	barrels	4,590	Reeds	cords	651
Hides		590	Sheep		131
Hogs		433	Shad		12,000
Iron	lbs	8,890	Shingles	M	1,914,665
Irons	tons	87	Staves	M	153,250
Knees		90	Shucks	bales	12
Lumber	M	180,000	Telegraph-poles		157
Last-blocks		730	Ties	M	163,923
Logs, coopers'	cords	8,685	Timber	feet	24,633
Logs, holly		338	Wood	cords	4,718
Melons	M	3,000	Wheat	bushels	4,223

Inward passengers, 3,860.

OUTWARD OR SOUTH TOLLS.

Apples	barrels	60	Molasses	barrels	525
Bricks	M	5,000	Merchandise	cubic feet	10,800
Butter	kegs	75	Nails	kegs	225
Baskets	dozen	60	Oil	barrels	196
Buckets	dozen	45	Pork	barrels	825
Bagging	rolls	300	Plows		425
Bacon	pounds	30,000	Paper	reams	82
Bedsteads		144	Potatoes	barrels	325
Brooms	dozen	60	Rope	coils	38
Carriages		16	Sugar	barrels	300
Cakes	barrels	82	Spirits	barrels	340
Coal	tons	360	Salt	sacks	6,025
Coffee	sacks	300	Snuff	jars	220
Cheese	boxes	360	Shot	bags	110
Crockery	crates	36	Shoes	boxes	600
Candy	boxes	60	Salt	bushels	6,225
Corn	bushels	1,350	Soap, &c	boxes	3,600
Chairs	dozen	36	Stoves		62
Flour	barrels	6,225	Tobacco	boxes	950
Fish	barrels	172	Tables		18
Hay	bales	68	Tar	barrels	125
Lime	barrels	1,200	Vinegar	barrels	8
Lard	tubs	60	Wine	barrels	3

Outward passengers, 3,625.

S. W. GARY,
Collector.

TABLE C.

Report of the number and class of vessels passing through the Dismal Swamp Canal for the year ending September 30, 1873.

Year and month.	Steamers.	Schooners.	Sloops.	Boats.	Lighters.	Rafts.	Total.
October, 1872	16	18	1	11	90	.....	136
November, 1872	48	44	4	6	127	4	233
December, 1872	40	30	2	.....	109	.....	181
January, 1873	51	34	10	9	134	1	239
February, 1873	46	33	5	7	120	1	212
March, 1873	48	18	7	7	139	1	220
April, 1873	52	31	13	18	110	1	225
May, 1873	53	36	4	13	128	1	235
June, 1873	50	31	6	7	94	.....	188
July, 1873	58	32	10	5	90	3	198
August, 1873	49	19	1	5	108	7	189
September, 1873	34	30	.....	7	92	3	166
Total	545	356	63	95	1,341	22	2,422
North	272	182	30	60	1,189	22	1,755
South	273	174	33	35	152	.....	667

S. W. GARY, *Collector.*

Annual report of the president and directors to the stockholders of the Dismal Swamp Canal Company for the fiscal year ending September 39, 1874.

REPORT OF EXAMINING COMMITTEE.

To the stockholders of the Dismal Swamp Canal Company:

GENTLEMEN: We have the honor to report that, in accordance with the customary requirement, we have, as far as practicable, made an examination of your canal, and have found it in good working order, with the exception of an unprecedentedly low state of the water, owing to the long-protracted drought. The president has lately taken advantage of the low water to clean out all the bars and obstructions in the Gilmerton section of the canal at very small cost.

You are well aware that want of funds prevents the prosecution of many improvements which your energetic president has in view.

The books and vouchers for the past year have been examined, and we find them in all respects correct.

All of which is respectfully submitted by your obedient servants,

B. P. LOYALL,
W. C. MARROW,
GEO. NEWTON.

NORFOLK, *November* 2, 1874.

PRESIDENT'S REPORT.

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, Va., November 2, 1874.

To the stockholders of the Dismal Swamp Canal Company:

GENTLEMEN: On behalf of your board of directors, I have the honor

to submit the following report of the condition of the affairs of the company for the fiscal year which ended on the 30th September past:

Table A.—Finance.
Table B.—Receipts inward and outward.
Table C.—Number and class of vessels passing through the canal.

Repairs and improvements.

Since the opening of the Turner Cut at intervals during the prevalence of westwardly winds, the depth of water is affected to a greater or less extent, which somewhat interferes with navigation. I have therefore caused the obstructions in the Moccassin Track (the natural channel formerly used) to be removed, rendering the same now navigable, which will meet the difficulty.

Locks and gates at South Mills.

The locks are in good condition. The gates have all been made new with the exception of the middle set. I recommend their replacement with new work as early as possible. This level is in good condition. Several breaks have occurred during the year on the road-bank, which has been raised and repaired.

Culpeper locks.

The locks and gates are in good condition; the gates having recently been made new. The road, also, bordering this level is in good order. The waste-way at Culpeper having burst up some years ago will necessitate a tumbling-dam, which I recommend to be placed about half a mile north of the lock. The expense of this construction will be very small.

Northwest locks.

The locks and gates are in good order, and the level, also, in fair condition. The excessive wet weather in the early part of the season occasioned several overflows of the road-bank, which compelled the raising of the road-bank at various points. To obviate the difficulty in the future, I recommend gates at the dam at Northwest Canal, and the removal of some obstructions at Manning's Lock, in said canal, to waste through when under any unusual pressure of water.

Locks at Deep Creek.

Since the repairs (by bracing) of these locks they have remained in very good order. The gates are all new, with the exception of the upper or south gates; and their condition is such that I recommend new gates as early as practicable. The road-banks on the level are in good condition. I would here remark that I have repaired the gates at the lake, and for the first time in many years they are wide open. The extraordinary dry spell of the past two months has so reduced the water as to place it on a level with the canal.

Dam over Deep Creek.

This dam I consider of imperfect construction, the foundation being defective. Two breaks have occurred the past year, attended with considerable expense. As early as the revenues of the company will permit, I recommend sheet-piling across the inside of the masonry, which will effectually secure the work for the future.

Gilmerton level.

This level has been cut through a continuous sand ridge for some two miles, and sand-bars are continually forming from the washing, &c. Navigation is now very difficult, which difficulty is increased by the leak at the dam reducing the water. It is important that this level be dug out and the bars removed at once.

A reference to my last report will show an indebtedness then reported of $7,500. About $500, also, was then due, but unaudited. During the year we have paid the debt in full; but I am compelled to report that we have passed the July coupon-interest of $8,000 and owe bills payable of $500. Various causes have contributed to this result. At the conclusion of my last report I stated that the financial status of the country might affect us, and our revenue must show a decided increase to prevent such results. Our trade is principally local, and the lumber interest furnishes the bulk of the revenue. This interest more than any other has been affected by monetary difficulties, and hence its decided effects upon our revenue. It will be remembered that at the commencement of our administration the revenue was only some $13,000. This we advanced to $20,000; thence to $22,500. It was reasonable to have expected an increase of ten per cent., unless controlled by causes mentioned in this connection; but, on the contrary, there is an actual decline of about $5,500 during the year. But for this we should have met our July interest without difficulty. Since our administration we have expended upon the work some $22,000, and have paid the bondholders $40,000 interest. The interests of both bondholders and stockholders have been carefully guarded. I urged upon you at our last meeting the importance of pressing our claims upon the attention of Congress. It is well known, however, that the entire body was seized with a fit of economy early in the session, and which became chronic ere its close. Surely, though, a work of this character, with the government as stockholder two-fifths of $1,500,000, will not be permitted to languish. I would therefore respectfully urge you to have our claims properly presented at this session of the Congress of the United States. We must have the work of width and depth continued to completion, which will afford ample revenue, or we must have a largely increased revenue under present navigable capacity to insure a successful working of the company for the future.

All of which is respectfully submitted.

W. B. ROGERS, *President.*

TABLE A.—FINANCE.

This table exhibits the condition of the books prior to and after balance for the year ending September 30, 1874.

Condition of the books prior to balance.

Cost of property, charged...		$486,000 00	Capital stock		$486,000 00
Entire cost of property	$1,500,000		Bills payable *ante bellum*		21,811 77
Stock only issued for	486,000		Bills payable, new.		500 00
Profit and loss account.....		127,320 10	First-mortgage bonds		200,000 00
Law-fees and taxes		320 44	Leroy S. Edwards.....		888 90
Discount-account		534 73	Revenue account.....		19,962 54
General repair account.....		1,625 04			
Funded debt interest account		8,000 00			
Enlargement and repair account		99,480 16			
General expense account		5,673 45			
Cash account		209 29			
		729,163 21			729,163 21

Condition of books after balance September 30, 1874.

Cost of property.....		$486,000 00	Capital stock.....		$486,000 00
Profit and loss account.....		121,886 18	Bills payable, old account...		21,811 77
Enlargement and repairs....		101,105 20	Bills payable, new		500 00
Cash account.....		209 29	First-mortgage bonds		200,000 00
			Leroy S. Edwards.....		888 90
		709,200 67			709,200 67

JOHN E. DOYLE, *Treasurer.*

TABLE B.

Inward receipts through Dismal Swamp Canal for the fiscal year ending September 30, 1874.

Year and month.	Bales cotton.	Barrels fish.	Barrels naval stores.	Posts.	Bushels corn.	Feet lumber.	Shingles.	Staves.	Pounds rags.	Pounds iron.	Bushels potatoes.	Pounds bacon.	Railroad ties.	Cords wood.	Bushels peas.	Bushels wheat.	Cords logs.	Last-blocks.	Rails.	Timbers.	Cords reeds.	Passengers.
1873.																						
October.....	205	359	75	300	4,977	53,000	192,000	29,500	1,000	8,000	372	.....	17,192	217	28	440	595	.....	20,000	1,120	175	150
November...	548	480	60	410	2,243	1,540	125,000	9,400	1,500	2,500	180	7,400	4,060	235	112	1,600	455	.....	7,400	945	98	213
December...	680	229	82	1,251	1,080	.....	116,550	15,570	750	6,000	172	21,300	10,820	373	1,151	....	354	3,500	8,550	1,883	15	312
1874.																						
January.....	821	580	112	1,517	18,234	.....	8,000	.....	1,900	3,000	560	5,000	9,510	301	250	570	275	1,400	5,100	2,485	..	276
February....	403	482	195	600	13,144	.....	33,000	4,660	3,000	5,000	944	3,000	8,605	436	818	800	285	2,000	7,250	11,261	...	162
March.....	103	632	84	3,534	13,608	.....	.....	8,000	780	2,000	336	17,000	10,558	227	120	752	328	8,500	5,800	4,735	...	453
April.....	155	700	127	180	6,908	.....	.....	16,000	652	15,000	1,320	8,000	11,515	392	.....	1,100	572	.....	10,500	2,230	....	245
May.....	59	1,392	68	672	10,137	15,456	432,000	9,970	1,700	18,000	1,132	.....	19,438	197	818	....	350	7,500	35,850	8,932	...	254
June.....	.....	406	79	540	2,808	74,000	286,600	450	875	42,000	1,080	.....	8,370	204	41	.....	520	.....	15,190	3,000	..	295
July.....	301	700	87	487	7,527	53,000	294,400	3,500	920	2,000	1,440	.....	8,704	417	.....	.....	590	.....	.....	750	...	197
August.....	12	93	60	.....	1,351	170,000	87,580	2,000	680	3,000	360	.....	6,956	287	.....	.....	499	.....	5,000	1,830	....	211
September...	43	174	111	593	3,250	.....	54,000	6,580	1,700	800	.....	.....	8,750	365	65	....	560	.....	.....	4,500	....	245
Total....	3,330	6,227	1,141	10,084	85,267	366,996	1,629,150	105,630	15,457	107,300	7,896	61,700	124,478	3,651	3,403	5,262	5,380	22,900	120,640	43,671	288	3,013

S. W. GARY, *Collector.*

TABLE B—Continued.

Outward receipts through Dismal Swamp Canal for the fiscal year ending September 30, 1874.

Year and month.	Barrels cakes and crackers.	Barrels beef and pork.	Barrels cider and beer.	Barrels flour.	Barrels fish.	Barrels molasses.	Barrels spirits.	Barrels sugar.	Bags coffee.	Boxes hats, &c.	Boxes soap, candles, &c.	Boxes tobacco.	Merchandise, cubic feet.	Kegs nails.	Crates ware.	Casks lime, &c.	Pounds iron.	Tons guano.	Sacks salt.	Bushels salt.	Tons ice.	Bales hay.	Barrels oil.	Tons coal.	Cotton presses.	Pounds bacon.	Passengers.
1873.																											
October	50	80	46	466	25	36	33	30	46	61	312	26	2, 540	56	8	200	8, 000	10	160	500	....	50	39	70	1	4, 300	207
November....	45	74	33	620	47	53	43	50	36	160	260	49	1, 250	72	12	125	6, 500	15	172	2, 800	....	48	63	89	1	6, 400	253
December	48	96	15	516	23	30	56	43	33	88	278	20	1, 853	86	8	85	4, 800	6	670	2, 370	....	12	44	60	....	1, 840	217
1874.																											
January.....	16	86	8	644	5	64	72	28	86	44	299	44	1, 524	24	4	25	2, 100	8	300	1, 430	....	....	16	21	....	700	234
February.....	60	33	.....	317	8	33	68	27	21	30	174	63	691	30	14	15	6, 950	6	118	668	42	....	39	33	....	600	140
March.....	20	67	25	835	20	40	69	50	51	75	622	111	1, 052	48	20	160	6, 000	12	179	3, 250	25	65	32	83	....	4, 700	407
April.....	30	82	12	474	.....	48	46	28	44	20	222	91	1, 939	24	10	45	5, 100	40	169	2, 600	65	....	20	33	....	1, 800	230
May.....	16	43	6	460	.....	45	66	30	61	10	339	82	1, 496	27	6	.....	500	36	150	800	....	....	39	30	....	1, 700	267
June.....	12	53	4	803	18	62	63	54	24	4	281	95	750	14	12	20	5, 672	32	47	600	....	....	71	55	....	6, 300	330
July	6	42	.....	434	.....	22	36	23	29	8	149	85	90	12	8	15	1, 800	16	28	1, 025	....	16	13	11	....	1, 800	141
August	5	69	.....	347	16	18	28	18	5	10	152	4	225	18	4	80	4, 300	.....	26	923	....	75	9	22	....	2, 100	160
September ...	8	75	5	531	12	30	10	22	20	10	160	80	360	6	7	76	6, 500	.....	53	875	....	....	22	20	2	4, 000	228
Total.....	316	800	154	6, 447	174	481	596	409	456	544	3, 248	787	13, 770	417	119	846	58, 122	181	2, 074	17, 841	132	266	407	527	4	36, 240	1, 814

S. W. GARY, *Collector*

TABLE C.

Report of the number and class of vessels passed through the Dismal Swamp Canal for the fiscal year ending September 30, 1874.

Year and month.	Steamers.	Schooners.	Sloops.	Lighters.	Boats.	Rafts.	Total.
1873.							
October	49	46	6	96	4	2	203
November	51	38	6	74	.....	3	172
December	49	36	16	87	3	2	193
1874.							
January	46	34	9	78	.....	1	168
February	38	25	3	90	2	1	159
March	35	22	4	84	.....	3	148
April	52	31	5	96	11	2	197
May	34	37	3	95	11	7	187
June	29	25	4	74	2	.....	134
July	24	24	1	72	11	1	133
August	25	22	.....	79	1	3	130
September	26	3	.....	58	2	3	92
	458	343	57	983	47	28	1,916
North	235	173	36	857	24	28	1,353
South	223	170	21	126	23	.....	563
Total	458	343	57	983	47	28	1,916

S. W. GARY, *Collector.*

NORFOLK, VA., *September* 30, 1874.

Annual report of the president and directors to the stockholders of the Dismal Swamp Canal Company for the fiscal year ending September 30, 1875.

REPORT OF EXAMINING COMMITTEE.

To the stockholders of the Dismal Swamp Canal Company:

GENTLEMEN: We have the honor to report that the canal is in good navigable condition. Some improvements are necessary, and would have been made but for the restrictions upon the president and the financial status of the company.

The books and vouchers for the past year, from the 1st October, 1874, to 30th September, 1875, have been examined, and we find them in all respects correct.

All of which is respectfully submitted by your obedient servants,

W. C. MARROW.
B. P. LOYALL.
N. BURRUSS.

PRESIDENT'S REPORT.

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, Va., November 1, 1874.

To the stockholders of the Dismal Swamp Canal Company:

GENTLEMEN: On behalf of your board of directors, I have the honor to submit the following report of the condition of the affairs of the company for the fiscal year which ended on the 30th September last.

Table A.—Finance.

Table B.—Receipts inward and outward.

Table C.—Number and class of vessels passing through the canal.

I would respectfully refer you to the following report made by me to an adjourned meeting of the stockholders on the 19th March last:

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, Va., March 19, 1875.

To the directors of the Dismal Swamp Canal Company:

GENTLEMEN: I have convened you at this important juncture of the affairs of the canal company to submit an inquiry from Messrs. Brown, Lancaster & Co., bankers, of Baltimore, Md. (representing the bondholders of that city).

This inquiry is addressed to Col. C. W. Newton, one of the trustees, and by him referred to me for reply.

That your consideration of the subject-matter embraced in this communication may be full and decided, I would respectfully call your attention to the conclusion of my report to 30th September, 1873.

The revenue for that year reaching $22,153.46, which reads thus: "The year 1872 evidenced an improvement of 60 per cent.; 1873 only 10 per cent. I hope a continued improvement for the future, unless affected by the financial condition of the country. This improvement must be decided, however, to enable us to meet the floating debt incurred for the improvements mentioned, pay the annual charges for management, and the regular coupon-interest to the bondholders."

Again, my report to the stockholders to September 30, 1874 (made November 2, 1874), says: "A reference to my last report will show an indebtedness of $7,500, and about $500 additional unaudited."

During the year we have paid this debt of $8,000, but I am compelled to report that we have passed the July coupon-interest of $8,000, and owe in addition $500 bills payable.

Various causes have contributed to this result. At the conclusion of my last report I stated that the financial status of the country might affect us; and our revenue must show a decided increase to prevent worse results.

Our trade is principally local, and lumber furnishes the bulk of the revenue.

This interest, more than any other, has suffered injuriously by monetary difficulties, and hence its decided effect upon our revenue.

It will be remembered that at the commencement of our administration the revenue was only some $13,000. This we advanced to $20,000, thence to $22,500. It was reasonable to have expected an increase of 10 per cent., unless controlled by causes mentioned in this connection; but, on the contrary, there is an actual decline of about $5,500 during the year; otherwise we should have met our July interest without difficulty.

The interests of both bondholders and stockholders have been carefully guarded.

I urged upon you at our last meeting the importance of pressing our claims upon the attention of Congress. It is well known, however, that early in the session that body was seized with a fit of economy which became chronic ere its close. Surely, though, a work of this character, with the government a stockholder (two-fifths of $1,500,000), will not be permitted to languish.

I would therefore respectfully urge you to have your claims properly presented at this session of the Congress of the United States.

We must have the work of width and depth continued to completion, which will afford ample revenue; or we must have a largely increased revenue, under present navigable capacity, to insure a successful working of the company for the future.

Referring to the Gilmerton level, I used this language: "This level has been cut through a continuous sand ridge for some two miles, and sand bars are continually forming from the washing, &c. Navigation is now very difficult, and the trouble is increased by the leak at the dam reducing the water."

It is important that the level be dug out and the bars be removed immediately.

I have referred to these reports for a more intelligible understanding of our present condition.

A short time after our adjournment, I was compelled to build a new dam across the basin of Deep Creek, or lose to the company a work which had cost some $20,000. This dam was built, and the Gilmerton level cleaned out at a cost of about $2,000. The revenue of the company for the past five months has decreased about $1,000 a month, or, say, $5,000.

Had we maintained the business of 1874, we could have paid at this time the July coupons to the bondholders.

I yet hope that the revenue for the next three months will enable me to meet the July interest.

You are fully capable, gentlemen, of forming a correct opinion as to the future of the company.

A revenue of $25,000 will pay the annual general expenses, ordinary repairs, and $16,000 interest to the bondholders.

I will thank you to embrace these facts in your reply to the inquiry herewith annexed.

All of which is respectfully submitted.

W. B. ROGERS,
President Dismal Swamp Canal Company.

The board being fully represented by W. B. Rogers, president, Hon. John B. Whitehead, Cicero Burruss, Dr. E. C. Robinson, Capt. D. S. Cherry, directors, the following preamble and resolution were unanimously adopted:

"Whereas the larger portion of the mortgage-bonds of the Dismal Swamp Canal Company is owned in this city, and while the bondholders are anxious to receive the interest on their bonds regularly, yet it is the general opinion that the interest of all the bondholders would be promoted by not foreclosing the mortgage at this time: Be it

"*Resolved,* That the above facts, as set forth in the report of the president of this board, be communicated to the bondholders, and, in addition, that all possible economy be exercised and no further improvements be made upon the work, and only such repairs at intervals as may be demanded to maintain the same; and the net revenue be held with sole reference to the payment of the matured coupons.

"JOHN E. DOYLE, *Secretary.*"

NOTE BY THE PRESIDENT.—The board of directors now have under consideration a proposition to the bondholders to fund the past-due coupons (inclusive of July) in 8 per cent. interest-bearing certificates, interest payable January and July; and the coupons for which the certificates are issued to be held by a trustee for the ultimate redemption of said certificates, and promptly pay the next coupon-interest.

In addition, we are assured, by able counsel, that we can prosecute successfully our memorial in the Court of Claims, or reasonably expect the relief asked for from the next Congress.

In accordance with that report, the expenses were reduced at the instance of the bondholders to the extent indicated by them.

Certificates were ordered to be issued for $24,000, past-due coupons. The same were issued to all the bondholders north of this point. Only seven of the Norfolk bondholders have received their certificates; the issue of the remainder awaiting the presentation of the number of the coupon and the amount of bonds held or owned by each.

The interest was paid upon the past-due coupons to July 1, 1875.

As you have perceived from the report alluded to, a largely increased revenue was essential to the proper maintenance and welfare of the company. Subsequent events have only demonstrated the contrary.

The general depression of the business of the country, affecting both land and water corporations, has not been confined to the canals of New York (which have been subjected to a decrease of revenue of more than one-half—some $750,000—during the past year), but has left its impress also upon our work, reducing the revenue over one-half for the present year. As I have intimated to you in previous reports, with but slight exceptions we are confined to a local trade, which is principally lumber, and the extent that interest has suffered is of general information.

Were we in condition to make certain improvements (notwithstanding the present condition of trade) our revenue could be increased fourfold. I allude here to the opening of the Northwest Canal, which would not involve more than $15,000 outlay, and would make tributary to us a large amount of trade that now finds a more difficult outlet through another canal.

A permanent dam has been erected in this canal, which I think will have to be removed this winter to waste our surplus water, as we have no waste-way at Culpeper, and to waste through the locks to Deep Creek will not be sufficient. As you are aware, the farms on the west side of the canal all drain into the same at or near this point, and the Northwest River is the natural drain east of the same. Hence the necessity, unless a waste-way is constructed at or near Culpeper locks.

Repairs and improvements.

Since the dredging of the Gilmerton level and the building of the new dam navigation was not interrupted until September, then induced by the long spell of dry weather, which reduced the water in the lake to the level of the canal, forcing a suspension for some three weeks. This could be obviated entirely by deepening the feeder about two feet, which would always furnish an abundant supply of water.

Locks and gates at South Mills.

The locks are in very good condition.

The upper gates are new, and the lower gates have been put in good order since my report recommending the same.

The level is in good condition.

Culpeper locks.

The locks and gates are in good order, with the exception of a leak in the northern gate, which should be arrested as early as practicable.

Northwest locks.

The locks, gates, and level in fair condition. The road-bed at this point has somewhat suffered from water, but is being gradually improved.

Dam over Deep Creek.

The excessive fall of water during the past fall, which deluged the country north, south, east, and west, to some extent damaged the dam. The earth wings were carried away. This damage has been repaired, and at present we lose no water from leaks at this point.

Gilmerton level.

The dredging of this level last year has obviously improved the same, which has been navigated since without difficulty. The locks and gates are in good condition.

At the risk of being considered egotistical, but under the pressure of duty to others, and without designing any reflection upon the action of those who preceded us in the management of the company, we must say that an expenditure of $75,000 (of the $200,000 for which this company was bonded prior to our connection with it), in the deepening of this canal and feeder, without any other change in its capacity for carriage of freight, would yielded a revenue yearly sufficient to have paid regular dividends to the stockholders (the government included), the interest upon the $75,000, and have created a sinking fund for the ultimate extinction of the debt in a reasonable time.

Errors of judgment will attach to the wisest and best, and wisdom is the result only of stern and costly experience.

In conclusion, permit me to add that we shall make good our promise to pay the interest on the certificates at January next. Whether our expressed expectation at our last meeting, to pay the January coupon, will be realized, depends upon the future revenue, which time can only determine.

You will also permit me to say, further, that as the Government of the

United States owns two-fifths of the work, costing over one and a half millions of dollars, we should again present our claims to the next Congress.

Our friends give assurance of success the next session.

I would suggest, at the conclusion of your business, that you adjourn to the 10th day of January next, as the future destiny of this improvement, under its present organization, will be measurably determined by that time.

All of which is respectfully submitted.

W. B. ROGERS, *President.*

TABLE A.—FINANCE.

This table exhibits the condition of the books prior to and after balance for the year ending September 30, 1875.

Condition of the books prior to balance.

Cost of property, charged		$486,000 00	Capital stock		$486,000 00
Entire cost of property	$1,500,000		Ante-bellum debt		21,811 77
Stock only issued for	486,000		Cash account		11,356 78
Profit and loss account		121,886 18	Mortgage bonds		200,000 00
Revenue account		23 14	L. S. Edwards		888 90
Law fees and taxes		50 00	Revenue account		11,210 31
Interest account		46 32			
General-repair account		3,156 83			
Trustee interest account		1,500 00			
Funded-debt interest account.		742 20			
Enlargement and repairs		101,105 20			
General-expense account		5,338 29			
Cash account		11,419 60			
		731,267 76			731,267 76

Condition of the books after balance, September 30, 1875.

Cost of property		$486,000 00	Capital stock		$486,000 00
Profit and loss account		116,875 82	Ante-bellum		21,811 77
Trustee interest account		1,500 00	Mortgage bonds		200,000 00
Enlargement and repair account		104,262 03	L. S. Edwards		888 90
Cash account		62 82			
		708,700 67			708,700 67

JOHN E. DOYLE,
Treasurer.

TABLE B.

Inward receipts through the Dismal Swamp Canal for the fiscal year ending 30th September, 1875.

Year and month.	Bales cotton.	Barrels fish.	Barrels naval stores.	Post.	Bushels corn.	Feet lumber.	Shingles.	Staves.	Pounds rags.	Pounds iron.	Bushels potatoes.	Bacon.	Railroad-ties.	Cords wood.	Bushels wheat.	Bushels pease.	Cords logs.	Last-blocks.	Rails.	Telegraph-poles.	Timber.	Passengers.
1874.																						
October	82	358	30	650	786	24,500	1,200	.....	800	5,400	500	500	2,750	90	176	78	341	.....	18,000	.....	9,777	156
November	50	151	20	175	1,910	.....	15,000	5,000	300	760	175	.....	990	52	250	190	254	.....	9,700	500	14,476	.....
December	79	250	.....	680	19,575	.....	.....	4,000	250	1,340	500	5,800	877	65	.....	.....	258	.....	2,700	.....	1,637	72
1875.																						
January	250	230	25	612	18,968	.....	108,500	10,500	600	980	.....	4,000	1,275	257	475	.....	397	.....	19,893	.....	3,487	144
February	390	121	.....	40	10,389	.....	.....	.....	875	450	525	964	15	389	.....	100	549	3,000	4,900	.....	360	154
March	273	1,180	75	800	15,692	.....	.....	22,045	380	1,216	5,766	1,250	39	378	.....	71	606	1,529	31,200	.....	.....	260
April	180	210	.....	3,550	13,565	35,000	70,000	.....	800	750	1,557	.....	7,560	318	.....	.....	516	.....	19,300	.....	3,285	180
May	23	1,370	60	.....	5,567	.....	30,000	21,400	500	1,000	1,298	.....	14,495	296	.....	237	508	4,000	8,000	3,600	378	144
June	10	.....	.....	1,584	95	15,600	9,225	12,500	325	760	994	.....	200	47	.....	30	265	.....	23,300	25	5,100	96
July	1	10	.....	125	4,495	9,500	6,000	.....	600	1,200	3,582	.....	3,630	134	100	.....	194	.....	7,800	900	6,937	156
August	.....	.....	.....	.....	1,745	.....	.....	.....	900	2,400	1,076	.....	6,000	62	1,657	394	238	.....	3,600	2,300	867	120
September	60	89	.....	200	3,223	20,000	.....	.....	700	1,500	1,056	.....	.....	257	.....	.....	148	.....	800	730	1,780	168
Total	1,398	3,969	210	8,416	96,010	104,600	249,925	75,445	7,030	17,800	17,029	12,514	37,891	2,345	2,658	1,100	4,274	8,529	149,193	8,055	48,084	1,650

S. W. GARY, *Collector.*

TABLE B—Continued.

Outward receipts through the Dismal Swamp Canal for the fiscal year ending September 30, 1875.

Year and month.	Barrels cakes and crackers.	Barrels beef and pork.	Barrels cider and beer.	Barrels flour.	Barrels fish.	Barrels molasses	Barrels spirits.	Barrels sugar.	Barrels coffee.	Boxes hats, &c.	Boxes soap, candles, &c.	Boxes tobacco.	Merchandise, cubic feet.	Kegs nails.	Crates ware.	Casks lime, &c.	Pounds iron.	Tons guano.	Sacks salt.	Bushels salt.	Tons ice.	Bales hay.	Barrels oil.	Tons coal.	Pounds bacon.	Passengers.
1874.																										
October	40	30	10	260	20	10	25	40	33	60	285	22	1,870	60	4	172	11,000	6	95	420	....	80	26	65	3,700	138
November	4	8	.....	54	5	2	3	2	5	7	36	8	180	5	....	5	175	....	36	.....	....	4	4	....	.....	.....
December	30	8	3	80	10	7	15	12	12	27	120	13	952	22	3	48	1,400	4	48	700	....	48	16	60	2,000	85
1875.																										
January	60	24	15	400	36	20	19	48	36	78	480	60	2,400	48	6	185	14,140	12	600	3,600	....	....	36	48	720	168
February	22	7	3	319	12	22	44	35	17	25	330	50	770	31	16	5	8,960	7	110	550	25	5	35	55	550	172
March	14	20	8	725	5	24	42	14	42	70	560	70	1,260	48	14	84	6,690	8	98	3,000	11	16	42	42	3,600	168
April	25	48	4	360	3	18	36	24	36	30	360	65	1,080	27	9	72	5,875	24	72	2,400	48	12	12	75	1,890	140
May	32	36	3	480	1	48	48	36	24	12	420	40	1,360	66	7	6	1,850	17	84	1,050	....	4	18	42	1,500	152
June	7	31	.....	300	25	7	30	12	18	5	72	25	420	5	1	18	600	9	21	240	....	....	5	12	1,200	72
July	8	52	.....	650	7	52	60	36	24	9	108	48	50	7	6	7	3,000	7	25	672	....	18	36	7	3,750	152
August	12	60	2	360	10	24	35	19	10	12	72	27	480	15	5	60	1,870	....	17	856	....	60	18	36	960	144
September	20	72	7	480	18	28	49	21	25	30	480	60	520	17	11	48	4,500	....	45	716	....	17	19	19	3,600	154
Total	274	396	95	4,463	152	262	376	299	282	377	3,323	488	11,342	301	82	710	60,060	94	1,251	14,204	94	264	267	461	23,470	1,545

S. W. GARY, *Collector.*

TABLE C.

Report of the number and class of vessels passed through the Dismal Swamp Canal for the fiscal year ending 30th September, 1875.

Year and month.	Steamers.	Schooners.	Sloops.	Lighters.	Boats.	Rafts.	Total.
1874.							
October	13	15	1	44	2	3	78
November	.....	9	1	52	.....	4	66
December	9	6	2	72	2	1	92
1875.							
January	25	13	2	82	.....	2	124
February	21	8	.....	67	1	1	98
March	29	23	.....	93	.....	.....	145
April	25	30	1	83	12	2	153
May	24	18	.....	73	2	1	118
June	13	8	3	41	.....	2	67
July	26	18	7	47	6	4	108
August	24	9	.....	33	1	1	68
September	24	9	.....	39	.....	1	73
	233	166	17	726	26	22	1,190
North	108	90	14	652	13	22	899
South	125	76	3	74	13	.....	201
Total	233	166	17	726	26	22	1,190

S. W. GARY, *Collector.*

Annual report of the president and directors to the stockholders of the Dismal Swamp Canal Company, for the fiscal year ending September 30, 1876.

REPORT OF EXAMINING COMMITTEE.

To the stockholders of the Dismal Swamp Canal Company:

GENTLEMEN: The undersigned committee appointed to examine the condition of your canal, and the books of the treasurer, have to report that they have compared the books and vouchers for all expenditures and find the same correct.

On the first instant we went in company with the president and others up the canal as far as Deep Creek, and found things in working order but for an unfortunate giving way of the foundation of the large dam at Deep Creek, which requires extensive repairs. The gates at Culpeper locks are also undergoing repairs, necessitated by natural change and decay. The condition of the Deep Creek dam is the result of original faulty construction.

Very respectfully, your obedient servants,

B. P. LOYALL.
GEORGE NEWTON.

PRESIDENT'S REPORT.

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, Va., November 1, 1876.

To the stockholders of the Dismal Swamp Canal Company:

GENTLEMEN: On behalf of your board of directors, I have the honor to submit the following report of the condition of the company for the fiscal year which ended on the 30th September last.

Table A.—Finance.

Table B.—Receipts, inward and outward.

Table C.—Number and class of vessels passing through the canal.

It is a matter of grave regret that I am unable to present an improved condition of your finances.

There has been no improvement in the general depression of business, and being confined almost entirely to local trade (in consequence of the width and depth of the canal), our revenue has declined a few hundred dollars from that of the preceding year, 1875.

The revenue from the canal for six years, three years prior and three years subsequent to the war, was about $13,000 annually. During the five years of our management it has averaged say $16,800 per year Income for 1875 was $11,187; for 1876, $10,684; less by $500 than 1875. We have paid interest to the bondholders amounting to $48,000, and the expenses, inclusive of repairs and improvements, have cost about $35,000, or $7,000 per year.

Improvements, repairs, and expenses for the year 1875 was $8,500, which was reduced for the year 1876 to $6,000, expending less by $2,500 for the year.

In my last report I stated that about $25,000 was requisite for the annual conduct of the work. About $7,500 for improvements, repairs, and expenses, and about $17,500 was required to meet the coupon and certificate interest upon the bonds issued and money received for the same, and expended ere our connection with the work; but for this debt, the contraction of which has not added a single facility to the canal, we could, notwithstanding the depressed condition of affairs, conduct the same with profit to the stockholders.

Prior to 1860 and the completion of the Albemarle and Chesapeake Canal, under the supervision of the Hon. Marshall Parks, this company realized yearly from thirty to forty thousand dollars, and had a different policy prevailed at an earlier day, which was demanded by the increased trade with North Carolina, and a subscription have been obtained from the State (whose citizens in their private or corporate capacity had never contributed one dollar) which would have widened and deepened the Dismal Swamp Canal, the work to-day would have met all the requirements of trade, and the investment have proved a paying one. But the wisdom of the past prevailed, and the consequence was a rival work was built of enlarged dimensions, which controlled the through trade, and confined us to the trade on our banks and between our north and south locks.

This difficulty we had hoped to overcome by aid which we had some right to expect from the Congress of the United States, as the government owns two-fifths of the work, and was our expectation at the time of our first connection with the same. Repeated efforts have been made in that direction, but only to result in disappointment. We feel privileged to say that no management, in our opinion, would have produced results differing from the present.

The bondholders, to whom we have addressed ourselves at various

times, have shown commendable liberality, and have expressed a willingness to pass one coupon, but the difficulty only increases, and its only practical, or profitable solution for the stockholders, is to be found in an increased business in the future.

The debt of the company is thus stated:

First-mortgage 8 per cent. coupon bonds		$200,000 00
Founded interest-certificates		24,000 00
We only paid one-half of the January, 1876, coupons.	$4,000 00	
And there is now due on that interest (coupons marked half-paid)	$4,000 00	
Less cash held against the same	600 00	
		3,400 00
Coupon-interest due July, 1876		8,000 00
Total		235,400 00

Before closing this report, you will permit me to call your attention to the present condition of the work.

Bridge over Turner Cut

Required and received during the year full repairs.

Locks at South Mills

Are in good condition; new middle gates are required here, and the northern gates are much worn, but may be further used by sheathing; these repairs are now required.

This level is in a fair condition, the banks and the road having received considerable repairs.

Culpeper level.

This level is in very good condition, but a leak has developed itself in the miter-sill at these locks, of such magnitude as to necessitate the calling together of the directors on the 14th September, who ordered that navigation be suspended, a dam constructed, and the work repaired at once if practicable, but the gale which prevailed a few days thereafter prevented, as the water was increased sufficiently to sustain navigation. This work becomes a necessity as early as possible, as the leak is of such character as to reduce the water twelve inches in twenty-four hours.

Northwest locks.

This level and locks are in good condition.

Deep Creek level.

This level is in a fair condition. The locks have been recently repaired and also the gates. The waste at Deep Creek has given way, but the water is held for the present by a pen or dam.

During the September gale, the dam across the basin at Deep Creek was carried away. This caused a temporary suspension of navigation. I have had a permanent earth-dam thrown across, which holds the water, but this will necessitate the wasting through the locks at Gilmerton. A difficulty here presents itself. The foundation upon which rests the stone miter-sill at the outer gate has been undermined, and will very speedily require a coffer dam to be made inside and outside the locks.

Thirty days will perhaps suffice to do this work, but its cost will reach five or six hundred dollars.

DECEMBER 27, 1876.

Since the writing of this report, not submitted at the time in consequence of no quorum until the annexed date, I have been compelled to repair the work at Culpeper level, as the leak so increased at the lock as to reduce the water sufficiently in twenty-four hours to suspend navigation. All the water was removed from the level, and the substitution of new miter-sill, new floors, &c. A complete repair at this point, which thus far effectually reduced the leak, but requiring some three weeks, and at the additional expense of the loss of revenue for the time.

It further became necessary to complete the repairs at the dam. I have been delayed in the matter by the weather, but expect to finish the same in the course of ten days, good weather and low tides prevailing.

I am convinced at this writing that the work mentioned at the Gilmerton locks will become an immediate charge upon the company, as the upper gate now requires the force of eight men to open the same, in consequence of the loss of water by the leak and the consequent deficiency of the same in the chamber, which is reduced below the level of the canal.

I will conclude this report by again asserting that the usual business upon the canal is absolutely necessary to produce sufficient revenue to pay interest, expenses, and repairs.

All of which is respectfully submitted.

W. B. ROGERS, *President.*

TABLE A.—*Finance.*

This table exhibits the condition of the books prior to, and after balance for the year ending September 30, 1876.

Condition of the books prior to balance.

Cost of property	$486,000 00	Capital stock	$486,000 00
Profit and loss account	116,875 82	Revenue account	11,219 73
Revenue account	535 60	Bills payable (ante bellum)	21,811 77
Interest on funded debt	4,041 95	Leroy G. Edwards, 8 per cent. coupon bonds	888 90
Enlargement and repairs	104,262 03	Mortgage, 87 coupon bonds	200,000 00
Repair account	2,076 97		
Expense account	4,068 31		
Certificate interest account	1,447 20		
Cash	612 52		
	719,920 40		719,920 40

Condition of books after balance, September 30, 1876.

Cost of property	$486,000 00	Capital stock	$486,000 00
Profit and loss account	117,826 12	Bills payable (ante bellum)	21,811 77
Enlargement and repairs	104,262 03	8 per cent. mortgage coupon bonds	200,000 00
Cash	612 55	Leroy G. Edwards	888 90
	708,700 67		708,700 67

JOHN E. DOYLE,
Treasurer.

TABLE B.

Inward receipts through Dismal Swamp Canal for the fiscal year ending September 30, 1876.

Year and month.	Bales cotton.	Barrels fish.	Barrels naval stores.	Posts.	Bushels corn.	Feet lumber.	Shingles.	Staves.	Pounds rags.	Pounds iron.	Bushels potatoes.	Pounds bacon.	Railroad-ties.	Cords wood.	Bushels pease.	Bushels wheat.	Cords logs.	Last-blocks.	Rails.	Timber.	Bales shucks.	Passengers.
1875.																						
October	50	210	5	400	600	12,000	.....	.....	900	6,000	250	300	2,000	40	125	50	275	100	12,000	5,000	....	96
November	75	300	11	.....	1,890	.....	12,000	5,000	700	150	275	400	980	150	85	325	195	.....	13,000	8,000	....	150
December	96	175	6	325	15,000	4,000	.....	8,000	300	975	800	7,000	700	40	15	25	85	.....	4,000	900	....	95
1876.																						
January	120	100	11	.....	12,000	.....	18,000	.....	250	500	150	2,500	400	175	225	310	150	.....	10,000	.....	75	120
February	96	250	5	300	13,000	.....	12,000	2,500	400	275	400	1,000	.....	125	.....	....	125	5,000	15,000	760	40	80
March	180	1,600	90	.....	16,000	800	17,000	.....	500	900	4,000	1,800	160	275	60	10	800	.....	27,000	2,980	....	225
April	75	80	...	900	7,000	.....	.....	8,000	275	400	2,250	.....	1,800	500	15	....	1,900	.....	22,000	3,000	60	150
May	40	1,500	70	1,200	9,000	1,600	4,000	15,000	900	1,600	1,825	.....	16,000	400	.....	....	1,200	6,000	12,000	7,000	....	280
June	18	190	65	900	3,500	.....	.....	7,000	475	975	1,200	.....	900	330	175	....	725	.....	8,000	.....	....	350
July	.....	16	...	.....	2,000	.....	.....	.....	700	800	2,500	.....	400	75	180	....	340	.....	14,000	500	40	200
August	.....	.....	...	.....	2,500	15,000	15,000	4,000	400	1,700	1,300	.....	1,800	40	260	....	175	.....	1,200	1,200	25	175
September	35	150	...	.....	1,600	4,000	5,000	500	175	900	400	.....	300	25	.....	....	60	.....	400	900	....	105
Total	785	4,571	263	4,025	84,600	37,400	83,000	50,000	5,975	9,175	15,350	13,000	25,440	2,175	1,130	720	6,030	11,100	138,600	30,240	240	2,026

Navigation stopped 34 days.

S. W. GARY, *Collector.*

TABLE B—Continued.

Outward receipts through Dismal Swamp Canal for the fiscal year ending September 30, 1876.

Year and month.	Barrels cakes and crackers.	Barrels beef and pork.	Barrels cider and beer.	Barrels flour.	Barrels fish.	Barrels molasses.	Barrels spirits.	Barrels sugar.	Bags coffee.	Boxes hats, &c.	Boxes soap, candles, &c.	Boxes tobacco.	Merchandise, cubic feet.	Kegs nails.	Crates ware.	Casks lime.	Pounds iron.	Tons guano.	Sacks salt.	Bushels salt.	Tons ice.	Bales hay.	Barrels oil.	Tons coal.	Cotton-presses.	Pounds bacon.	Passengers.
1875.																											
October	60	65	14	425	10	9	40	56	26	75	310	24	2,100	40	1	225	13,000	11	160	800	....	40	17	70	....	4,500	80
November	36	10	3	70	3	7	19	30	30	12	45	7	1,800	11	....	17	1,750	2	210	475	....	16	8	5	...	4,600	120
December	75	16	1	110	15	4	6	16	18	46	110	12	1,100	15	7	60	800	6	70	300	....	75	13	40	...	1,000	72
1876.																											
January	25	12	25	160	40	36	25	32	24	60	560	72	900	30	2	110	9,000	7	325	2,500	....	4	40	12	....	250	96
February	30	20	....	225	5	18	34	24	17	10	300	40	440	10	13	11	7,625	4	206	410	60	....	43	32	....	400	40
March	12	30	7	610	9	7	45	75	55	85	720	68	1,320	62	18	40	4,500	2	75	4,500	30	....	16	20	....	5,200	156
April	46	65	9	550	7	12	22	40	25	42	250	96	900	35	5	15	3,210	40	83	3,000	85	7	28	85	....	1,909	160
May	29	85	6	725	....	62	60	51	40	19	600	75	1,600	78	2	16	3,150	16	75	1,200	...	2	45	30	....	2,500	175
June	12	65	1	650	50	19	40	72	24	6	72	30	720	11	....	20	900	3	11	700	....	5	11	10	....	800	240
July	125	75	....	910	75	80	78	75	37	12	150	52	120	4	....	4	4,000	1	16	890	...	12	50	3	2	6,200	300
August	76	110	5	500	60	35	46	50	15	89	125	65	650	6	16	43	3,250	1	8	900	....	75	42	45	1	1,800	200
September	16	28	12	105	5	4	14	7	20	14	70	14	156	3	3	15	760	...	12	75	....	3	9	7	....	560	35
Total	542	581	83	5,040	279	293	429	528	331	470	3,312	555	11,806	305	67	576	39,945	93	1,251	15,759	175	239	322	359	3	29,710	1,674

S. W. GARY, *Collector.*

TABLE C.

Report of the number and class of vessels passed through the Dismal Swamp Canal for the fiscal year ending September 30, 1876.

Year and month.	Steamers.	Schooners.	Sloops.	Lighters.	Boats.	Rafts.	Total.
1875.							
October	18	16	1	40	2	1	78
November	22	30	.....	43	1	.....	69
December	21	14	7	56	1	.....	99
1876.							
January	21	9	3	67	.....	.....	100
February	21	14	4	77	1	5	122
March	28	35	6	80	3	3	155
April	31	37	8	96	8	7	190
May	38	16	3	87	19	5	168
June	48	4	4	39	2	2	99
July	51	2	3	35	.....	1	92
August	50	4	.....	20	.....	2	76
September	14	5	.....	34	.....	1	54
	366	159	39	674	37	27	1,302
North	167	101	26	587	21	24	926
South	199	58	13	87	16	3	376
Total	366	159	39	674	37	27	1,302

S. W. GARY, *Collector.*

EXHIBIT D.

[$200 internal-revenue stamp.]

This deed, made the first day of July, eighteen hundred and sixty-seven, between the Dismal Swamp Canal Company of the one part and Jas. Coonich, Cincinnatus W. Newton, Wm. H. C. Ellis, of the other part:

Whereas by the several acts of the general assemblies of the States of Virginia and North Carolina, the one passed on the 6th day of December, 1866, and the other ratified on the 11th day of December, 1866, it was provided that it might and should be lawful for said company to issue coupon bonds bearing interest at the rate of eight per cent. per annum, the principal to be paid at such time and place as might be deemed by the company most expedient, and the interest to be paid semi-annually at such place as might be determined on for the payment of the principal of such bonds, provided that the whole amount of bonds which should be issued under the said several acts shall not exceed the sum of two hundred thousand dollars;

And whereas it was further provided by the said several acts that the said company shall be authorized to sell and dispose of the bonds authorized by the several acts in such mode and on such terms as they might deem advisable, and to give such security for the punctual payment of the said bonds as they might deem expedient;

And whereas in pursuance of the said several acts the said company have issued the several bonds of even date herewith for the sum of one thousand dollars each, numbered respectively from one to two hundred, inclusive, amounting in the aggregate to the sum of two hundred thousand dollars, payable twenty years from date thereof, at the National Park Bank of New York, bearing interest at the rate of eight per cent. per annum, payable semi-annually on the first day of January and July

of every year, at the said National Park Bank of New York, the payment of the principal and interest of which said several bonds as and when the same shall become due it is the desire and intention of the said company fully to secure to the purchasers or holders thereof:

Now, therefore, this indenture witnesseth that for and in consideration of the premises, and the further consideration of the sum of five dollars, the receipt whereof is hereby acknowledged, the said Dismal Swamp Canal Company do grant, bargain, sell and convey, with general warrantee, unto the said Jas. Coonich, Cincinnatus W. Newton, and William H. C. Ellis, their heirs and assigns forever, all and singular the work of internal improvement, the property of said company, known as and called by the name of the Dismal Swamp Canal, with all and singular the lands, the tenements, hereditaments, and appurtenances adjoining, belonging to or connected with the said canal, or belonging to the said company, lying, situated, and being in the county of Norfolk, in the State of Virginia, and in the county of Camden, in the State of North Carolina. In trust to secure to the purchasers or holders of the said bonds the payment of the principal and interest thereof, as and when the same shall become due, according to the true intent and meaning of the said company as hereinbefore declared; and upon this further trust, that if at any time hereafter default in the payment of the principal and interest, or any part thereof, of the said several bonds shall be made, the said Jas. Coonich, Cincinnatus W. Newton, and William H. C. Ellis, trustees, heretofore named, shall, upon the request of any one or more of the holders of the said bonds so to do, sell either at public auction or at private sale for cash or on reasonable credit, as they may deem most expedient and conducive to the interest of the holders of the said bonds, after advertising the said sale for three months in one or more newspapers published in each of the cities of New York, Philadelphia, Baltimore, Washington, and Norfolk, and shall, out of the proceeds of such sale, pay to the several holders of the said bonds all accruing interest thereon, and shall so provide that the principal thereof shall be immediately paid or so secured that no default shall in future be made in the payment of the principal or interest of the said several bonds as and when the same shall become due, and the balance of such proceeds of sale, if any, shall pay to the said company or their assigns.

In testimony whereof E. C. Robinson, the president, and Thos. B. West, the treasurer of the said company, by and with the consent of the board of directors of the said company, have hereunto set their hands and affixed the corporate seal of the said company, the day and year first above written.

[SEAL.]

E. C. ROBINSON,
President.

THOS. B. WEST,
Treasurer.

STATE OF VIRGINIA,
County of Norfolk, to wit:

I, John T. Hall, a notary public for the city aforesaid, in the State of Virginia, do certify that E. C. Robinson and Thomas B. West, whose names are signed to the writing above, bearing date on the 1st day of July, 1867, have acknowledged the same before me in the city aforesaid.

Given under my hand the 1st day of July, 1867.

JOHN T. HALL,
Notary Public.

In the clerk's office of Norfolk County court the 1st day of July, 1867, at 9.30 o'clock a. m.

The foregoing deed of trust for the Dismal Swamp Canal Company to James Coonich, Cincinnatus W. Newton, and William H. C. Ellis, trustees, was admitted to record upon the certificate annexed of John T. Hall, a notary public in and for the city of Norfolk, State of Virginia, having the necessary two hundred dollars United States internal-revenue stamp annexed.

Test: GRIFFIN T. EDWARDS,
Clerk of Court.

Recorded in deed-book. From December 9, 1865, to July 12, 1867. In Norfolk County court, at Portsmouth, Va.

EXHIBIT E.

This deed, made the tenth day of February, in the year eighteen hundred and sixty-nine, between the Dismal Swamp Canal Company, of the first part, and James Coonich, Cincinnatus W. Newton, and William H. C. Ellis, of the second part:

Whereas, by deed bearing date the first day of July, 1867, of record in the clerk's office of the county court of Norfolk, in the State of Virginia, and in the office of the public register of the county of Camden, in the State of North Carolina, the said parties of the first part did grant, bargain, sell, and convey, with general warrantee, unto the said parties of the second part, all and singular all the work of internal improvement, the property of the said parties of the first part, known as and called by the name of the Dismal Swamp Canal, with all and singular the lands, tenement, hereditaments, franchise, privileges, and appurtenances adjoining, belonging to, or conveyed with the said canal, or belonging to the said company, by situation and being in the county of Norfolk, in the State of Virginia, and in the county of Camden, in the State of North Carolina, in trust, to secure the purchasers and holders of the bonds of said company executed by said company on the day of the date of the deed aforesaid the payment of the principal and interest of said bonds in manner and form as by said deed declared; and whereas it is desired by the holders of such of said bonds as have been issued and by others who wish to become purchasers of said bonds for the said company that the deed aforesaid shall be so amended as that, in case of default in the payment of the interest or any part thereof of the said several bonds, it shall be imperative on the said trustees to pay, out of the proceeds of sale of said property, the principal as well as the interest of the said bonds to the holders thereof, without delay, and when it is manifest that the interest of said company will be promoted by such amendments:

Now, therefore, this indenture witnesseth that if at any time hereinafter default shall be made in the payment of the interest or any part thereof of any of the several bonds, the said trustees shall, and they hereby covenant that they will, make sale of all and singular the property and appurtenances in said deed mentioned and described, for cash, after due advertisement thereof, as by said deed directed, and out of the proceeds of such sale, after the payment of the expenses of said trust, pay immediately to the holders of said bonds both the principal and interest thereof, whether the said principal be then due or yet to become due, and in

case of a deficiency to pay in full the whole amount due or owing on said bonds as aforesaid, they shall be paid ratably in proportion to the amount owing or unpaid upon the said bonds respectively, without preference to the holder of any one bond over the other, and the balance of such proceeds of sale, if any, shall be paid to the said company, their successors or assigns, upon lawful demand being made therefor; and the said parties of the second part do hereby accept the trust by these presents conferred upon them; and the said parties of the first part, for themselves, their successors, and assigns, do hereby covenant and agree with said parties of the second part, and their successors in said trust, and with all persons and corporations who shall become holders of the bonds hereby secured or intended so to be, that the said parties of the first, their successors and assigns, shall and will, at any time, and from time to time hereafter, upon request made, do, execute, and deliver all such further and other acts, deeds, and things as shall be reasonably desired or required to effectuate the intention of these presents, and to assume and confirm to the said parties of the second part, and the survivor or survivors of them, or their successors, all and singular the property and estate hereinbefore referred to, and to render the same available for the security and satisfaction of all and singular the said bonds according to the intent and purpose hereinbefore expressed.

In witness whereof the said parties of the first part have hereunto affixed their corporate seals and caused these presents to be signed by Thomas I. Corprew, their president; and the said parties of the second part have hereunto set their hands and seals, the day and year first above written.

THOMAS I. CORPREW, *President.*
JAMES COONICH. [SEAL.]
CINCINNATUS W. NEWTON. [SEAL.]
WILLIAM H. C. ELLIS. [SEAL.]

STATE OF VIRGINIA,
City of Norfolk, to wit:

I, John C. Barker, a notary public for the State and city aforesaid, do certify that Thomas I. Corprew, James Coonich, Cincinnatus W. Newton, and William H. C. Ellis, whose names are signed to the writing hereto annexed, bearing date the 10th day of February, 1869, have acknowledged the same before me in the city aforesaid.

Given under my hand this 16th day of February, 1869.

JOHN C. BAKER,
Notary Public.

In the clerk's office of Norfolk County court the 17th day of February, 1869.

This deed was admitted to record upon the certificate of John C. Baker, a notary public in and for the city of Norfolk, State of Virginia.

Teste: G. T. EDWARDS, *C. C.*

Recorded deed-book from October 31, 1868, to November 20, 1869, records Norfolk County court, at Portsmouth, Va.

F.

List of bondholders of the Dismal Swamp Canal Company.

Bonds.	Name of holder.	Residence.
11	Estate of W. W. Lamb	Norfolk.
3	Andrew S. Martin	Do.
3	George Newton	Do.
3	Florence Newton	Do.
3	Mary Newton	Do.
2	Courtney N. Newton	Do.
4	Estate of J. C. Osgood	New York.
27	Thomas C. Jenkins	Baltimore.
15	Thomas Wilson	Do.
10	Douglas H. Gordon	
8	Johns Hopkins Hospital	Baltimore.
7	Johns Hopkins University	Do.
10	H. G. Anderdonk	New York.
5	Garrett R. Barney	United States Navy.
15	J. W. Whitehurst estate	Norfolk.
5	Dr. Wm. Selden	Do.
3	R. Manson Smith, trustee	
5	Wm. S. Camp	Norfolk.
2	Miss Isabel Armstrong	Do.
1	Miss Rebecca Armstrong	Do.
1	Miss Adelaide Armstrong	Do.
2	Miss Margaret Arbuckle	Eastern Shore, Virginia.
3	Richard Dickson	Norfolk.
24	Burness, Son & Co	Do.
2	Capt. H. H. Baker	
2	Miss Sallie Tazewell	Norfolk.
2	Miss Ella Tazewell	Do.
1	Miss M. Z. Waller	Do.
5	Franklin Savings-Bank	Do.
3	John Debree	Do.
1	C. B. Duffield, trustee	Do.
2	John B. Whitehead	Do.
8	John D. Gordon & Co	Do.
1	Dr. J. L. Harmanson	
1	Dr. W. A. Thorn	Eastern Shore, Virginia.
200	Bonds of $1,000 each = $200,000.	

G.

ACTS OF THE GENERAL ASSEMBLY OF VIRGINIA, OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, AND OF THE CONGRESS OF THE UNITED STATES, RESPECTING THE DISMAL SWAMP CANAL COMPANY.

Acts of the general assembly respecting the Dismal Swamp Canal Compan y

CHAP. I.—An act for cutting a navigable canal from the waters of Elizabeth River, in this State, to the waters of Pasquotank River, in the State of North Carolina. [Passed December 1, 1787.]

1. Whereas the cutting of a navigable canal from the waters of Eliza beth River, in this State, to the waters of Pasquotank River, in th e State of North Carolina, will be of great public utility, and many persons are willing to subscribe large sums of money to effect so beneficial a work, and it is just and proper that they, their heirs and assigns, should be empowered to receive reasonable tolls, forever, in satisfactio n

for the money advanced by them in carrying the work into execution, and the risk they run: Therefore,

Be it enacted by the general assembly of Virginia, That it shall and may be lawful to open books in the towns of Norfolk, Portsmouth, Suffolk, Petersburg, Richmond, York, Fredericksburg, and Alexandria, under the management of George Kelly, in Norfolk; of John Cowper, in Portsmouth; of Wells Cowper, in Suffolk; of Christopher McConnico, in Petersburg; of James Heron, in Richmond; of Thomas Nelson, in York; of William Lewis, in Fredericksburgh; and of William Hartshorne, in Alexandria; and under the management of such persons and at such places in North Carolina as shall be appointed by that State, for receiving and entering subscriptions to the amount of eighty thousand dollars for the said undertaking; which subscriptions shall be made personally or by power of attorney, and shall be in Spanish milled dollars, but may be paid in other silver or in gold coin of the same value. That the said books shall be opened for receiving subscriptions on the first day of May next, and continue open until the first day of September next inclusive; and, on the nineteenth day of the said month of September, there shall be a general meeting of the subscribers at Halifax, in the State of North Carolina, of which meeting notice shall be given by the said managers, or any three of them, in the gazettes of both the aforesaid States, at least one month next before the said meeting, and such meeting shall and may be continued from day to day until the business is finished. And the acting managers shall, at the time and place aforesaid, lay before such of the subscribers as shall meet according to the said notice the books by them respectively kept, containing the state of the said subscriptions; and if one-half of the capital sum aforesaid should on examination appear not to have been subscribed, then the said managers are empowered to take and receive subscriptions to make up the deficiency; and a just and true list of all the subscribers, with the sums subscribed by each, shall be made out and returned by the said managers, or any four or more of them, under their hands, into the general court of this State, and into such court as the State of North Carolina shall direct, to be there recorded. And in case more than eighty thousand dollars shall be subscribed, then the same shall be reduced to that sum by the said managers, or a majority of them, by beginning at and striking off from the largest subscription or subscriptions, and continuing to strike off a share from all subscriptions, under the largest and above one share, until the sum is reduced to the capital aforesaid, of eighty thousand dollars, or until a share is taken from all subscriptions above one share; and lots shall be drawn between subscribers of equal sums to determine the number in which such subscribers shall stand on a list to be made for striking off as aforesaid; and if the sum subscribed still exceeds the capital aforesaid, then they shall strike off by the same rule until the sum subscribed is reduced to the capital aforesaid, or all the subscriptions are reduced to one share; and if there still be an excess, then lots shall be drawn to determine the subscribers who are to be excluded to reduce the subscriptions to the capital aforesaid; which striking off shall be certified in the list aforesaid, and the said capital sum shall be reckoned and divided into three hundred and twenty shares of two hundred and fifty dollars each, of which every person subscribing may take and subscribe for one or more whole shares, and not otherwise.

2. *Provided*, That unless one-half of said capital shall be subscribed, all subscriptions made in consequence of this act shall be void; and in case one-half and less than the whole of the said capital shall be sub-

scribed as aforesaid, then the president and directors are hereby empowered and directed to take and receive the subscriptions which shall be first offered, in whole shares, as aforesaid, until the deficiency shall be made up; a certificate of which additional subscriptions shall be made under the hands of the president and directors, or a majority of them, for the time being, and returned to and recorded in the courts as aforesaid.

3. *And be it enacted*, That in case one-half of the said capital, or a greater sum, shall be subscribed as aforesaid, the said subscribers, and their heirs and assigns, from the time of the said first meeting, shall be, and are hereby declared to be, incorporated into a company, by the name of the "Dismal Swamp Canal Company," and may sue and be sued as such; and such of the said subscribers as shall be present at the said meeting, or a majority of them, are hereby empowered and required to elect a president and four directors, for conducting the said undertaking and managing all the said company's business and concerns, for and during such time, not exceeding three years, as the said subscribers, or a majority of them, shall think fit; and in counting the votes of all general meetings of the said company, each member shall be allowed one vote for every share, as far as ten shares, and one vote for every five shares above ten, by him or her held at the time in the said company; and any proprietor, by writing under his or her hand, executed before two witnesses, may depute any other member or proprietor to vote and act as proxy for him or her at any general meeting.*

4. *And be it enacted*, That the said president and directors, so elected, and their successors, or a majority of them, assembled, shall have power and authority to agree with any person or persons, on behalf of the said company, to cut the said canal and to erect such locks and perform such other works as they shall judge necessary for the navigation of the said canal and carrying on the same from place to place and from time to time, and upon such terms and in such manner as they shall think fit; and, out of the money arising from the subscriptions and tolls and other aids hereafter in this act given, to pay for the same and to repair and keep in order the said canal, locks, and other works necessary thereto, and to defray all incidental charges; and, also, to appoint a treasurer, clerk, and such other officers, toll-gatherers, managers, and servants as they shall judge requisite, and to agree for and settle their respective wages or allowances, and settle, pass, and sign their accounts; and, also, to make and establish rules of proceeding, and transact all the other business and concerns of the said company, in and during the intervals between the general meetings of the same; and they shall be allowed, as a satisfaction for their trouble therein, such sums of money as shall, by a general meeting of the subscribers, be determined.

5. *Provided always*, That the treasurer shall give bond, in such penalty and with such security as the said president and directors, or a majority of them, shall direct, for the true and faithful discharge of the trust reposed in him, and that the allowance to be made to him for his services shall not exceed three pounds in the hundred, for the disbursements by him made, and that no officer in the said company shall have a vote in the settlement or passing of his own account.

And be it enacted, That the said president and directors, and their successors, or a majority of them, shall have full power and authority,

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*MARKED BY THE PRESIDENT OF THE COMPANY.—The present collector is not a stockholder, nor does he consider it necessary that he should be under the acts of Congress making subscriptions to the company. See page 14, top.

from time to time, as money shall be wanting, to make and sign orders for that purpose, and direct at what time and in what proportion the proprietors shall advance and pay off the sums subscribed; which orders shall be advertised at least one month in the North Carolina and Virginia gazettes; and they are hereby authorized and empowered to demand and receive of the several proprietors, from time to time, the sums of money so ordered to be advanced for carrying on and executing, or repairing and keeping in order, the said works, until the sums subscribed shall be fully paid; and to order the said sums to be deposited in the hands of the treasurer, or be by him disbursed and laid out, as the said president and directors, or a majority of them, shall order and direct; and, if any of the said proprietors shall refuse or neglect to pay their said proportions, within one month after the same so ordered and advertised as aforesaid, the said president and directors, or a majority of them, may sell at auction and convey to the purchaser the share or shares of such proprietor so refusing or neglecting payment, giving at least one month's notice of the sale in the North Carolina and Virginia gazettes; and, after retaining the sum due and charges of sale out of the money produced thereby, they shall refund and pay the overplus, if any, to the former owner; and, if such sale shall not produce the full sum ordered and directed to be advanced, as aforesaid, with the incidental charges, the said president and directors, or a majority of them, may, in the name of the company, sue for and recover the balance, by motion, on ten days' previous notice; and the said purchaser or purchasers shall be subject to the same rules and regulations as if the said sale and conveyance had been made by the original proprietor.

6. And, to continue the succession of the said president and directors, and to keep up the same number, *Be it enacted*, That, from time to time, on the expiration of the term for which the said president and directors were appointed, the proprietors of the said company, at the next general meeting, shall either continue the said president and directors, or any of them, or shall choose others in their stead; and, in case of the death, removal, resignation, or incapacity of the president or any of the directors, may and shall, in manner aforesaid, elect any other person or persons to be president and directors, in the room of him or them so dying, removing, resigning, or becoming incapable of acting, and may, at any of their general meetings, remove the president or any of the directors and appoint others, for and during the remainder of the term for which such person or persons were at first to have acted.

7. *And be it enacted*, That every president and director, before he acts as such, shall take an oath or affirmation for the due execution of his office.

8. *And be it enacted*, That the presence of proprietors having one hundred and eighty shares at least shall be necessary to constitute a general meeting, and that there be a general meeting of proprietors on the first Monday in September in every year, at such convenient town as shall, from time to time, be appointed by the said general meeting; but, if a sufficient number should not attend on that day, the proprietors who do attend may adjourn such meeting from day to day till a general meeting of proprietors shall be had, which may be continued from day to day until the business of the company is finished; to which meeting the president and directors shall make report, and render distinct and just accounts of all their proceedings, and, on finding them fairly and justly stated, the proprietors then present, or a majority of them, shall give a certificate thereof, a duplicate of which shall be entered on the said company's books; and, at such yearly general meet-

ings, after leaving in the hands of the treasurer such sum as the proprietors, or a majority of them, shall judge necessary for repairs and contingent charges, an equal dividend of all the net profits arising from the tolls hereby granted shall be ordered and made to the proprietors of the said company, in proportion to their several shares; and, on any emergency, in the interval between the said yearly meetings, the president, or a majority of the directors, may appoint a general meeting of the proprietors of the company, at any convenient town, giving at least one month's previous notice in the North Carolina and Virginia gazettes, which meeting may be adjourned and continued as aforesaid.

9. *And be it further enacted*, That, for and in consideration of the expenses the said proprietors will be at, not only in cutting the said canal, erecting locks, making causeways, and performing other works necessary for this navigation, but in maintaining and keeping the same in repair, the said canal, locks, causeways, and other works, with all their profits, shall be, and the same are hereby, vested in the said proprietors, their heirs and assigns forever, as tenants in common in proportion to their respective shares; and the same shall be deemed real estate, and be forever exempt from the payment of any tax, imposition, or assessment whatsoever; and it shall and may be lawful for the said president and directors, at all times forever hereafter, to demand and receive at some convenient place near one of the extremities of the canal, for all commodities transported through it, or over the causeways, tolls, according to the following table and rates, which shall be in Spanish milled dollars, to wit:

	Parts of a dollar.	
Every pipe or hogshead of wine containing more than sixty-five gallons	30	72nds.
Every hogshead of rum or other spirits	24	72nds.
Every hogshead of tobacco	24	72nds.
Every hogshead of molasses	18	72nds.
Every butt or hogshead of malt-liquor	18	72nds.
Every cask between sixty-five and thirty-five gallons, one-half of a pipe or hogshead; every barrel, one-fourth part; and every smaller cask or keg, in proportion, according to the quantity and quality of their contents	18	72nds.
Every dozen of bottled wine	5	288ths.
Every dozen of bottled malt-liquor	4	288ths.
Every bushel of wheat, pease, beans, rice, or flax-seed	3	288ths.
Every bushel of Indian corn, or other grain or salt	2	288ths.
Every barrel of pork	6	72nds.
Every barrel of beef	4	72nds.
Every barrel of fish or flour	3	72nds.
Every barrel of tar, pitch, turpentine, or rosin	2	72nds.
Every cask of linseed-oil, or spirits of turpentine, the same as molasses	2	72nds.
Every ton of hemp, flax, potash, or bar-iron	36	72nds.
Every ton of pig-iron or castings	12	72nds.
Every ton of copper, lead, or other ore, other than iron-ore	30	72nds.
Every ton of stone or iron-ore, other than the ballast of the vessel	6	72nds.
Every chaldron of coals	8	72nds.
Every hundred bushels of lime or of shells	20	72nds.
Every thousand of bricks or tiles	30	72nds.
Every hundred of pipe-staves	6	72nds.

Every hundred of hogshead staves, or pipe or hogshead heading	4	72nds.
Every hundred of barrel-staves or barrel-heading	3	72nds.
Every thousand shingles, from eighteen to twenty-four inches	3	72nds.
Every thousand of three-feet shingles	6	72nds.
Every thousand clapboards or pales	9	72nds.
Every cord of fire-wood	12	72nds.
Every hundred cubic feet of plank, or scantling	40	72nds.
Every hundred cubic feet of all other timber	30	72nds
Every hundred pounds of brown or clayed sugar	3	72nds.
All other produce, goods, wares, or merchandise, one-fourth per centum	3	72nds.
Every boat or vessel exceeding one ton burthen, which has not commodities on board to yield so much (except an empty boat or vessel returning, whose load has already paid the toll, in which case she is to repass free of toll)	40	72nds.
Every canoe, boat, or vessel, under one ton burthen, which has not commodities on board to yield so much (except as in the preceding article excepted)	18	72nds.
Every man (except foot travellers, who shall pass toll free), horse, ox in draught, and wheel passing the causeways (except the loads they carry yield so much, or empty wagons or carts returning, whose loads have paid the toll)	6	72nds.
Every head of black cattle	3	72nds.
Every hog	1	72nd.
Every sheep	2	288ths.
Every hundred-weight of indigo	12	72nds.

10. All produce, goods, wares, or merchandise, passing the causeways, shall be subject to the same toll as goods passing through the canal, but which tolls, though chargeable in Spanish milled dollars, may be paid in other silver, or in gold coin of the same value. And, in case of refusal to pay the tolls at the time of offering to pass the place aforesaid, and previous to passing the same, the collector of the said tolls may lawfully refuse passage to whatever refuses payment; and if any vessel, wagon, or cart shall pass without paying the toll, then the said collector may seize such vessel, wagon, or cart, wherever found, and sell the same at auction for ready money, which, so far as is necessary, shall be applied towards paying the said toll, and all expenses of seizure and sale, and the balance, if any, shall be paid to the owner; and the person having the direction of such vessel, wagon, or cart shall be liable for such toll, if the same is not paid by the sale as aforesaid: *Provided*, That the said proprietors, or a majority of them, holding at least one hundred and eighty shares, shall have full power and authority, at any general meeting, to lessen the said tolls, or any of them, or to determine that any article may pass free of toll.

11. *And be it enacted*, That the said canal and works, to be erected thereon in virtue of this act, and the causeways, when completed, shall forever hereafter be esteemed and taken as public highways, free for the transportation of all goods, wares, commodities, or produce whatsoever, and for traveling, on payment of the tolls imposed by this act; and no other toll or tax whatever, for the use of the water of the said canal and the works thereon erected, or the causeways, shall at any time hereafter be imposed by both or either of the said States; subject,

nevertheless, to such regulations as the legislature of the said States may concur in, to prevent the importation of prohibited goods, or to prevent fraud in evading the payment of duties imposed in both or either of the said States on goods imported into either of them.

12. And whereas it is necessary for the making of the said canal, locks, causeways, and other works, that a provision should be made for condemning a quantity of land for the purpose:

13. *Be it enacted*, That it shall and may be lawful for the said president and directors, or a majority of them, to agree with the owners of any land, through which the said canal is intended to pass, for the purchase thereof, and in case of disagreement, or in case the owner thereof shall be a *feme covert*, under age, *non compos*, or out of the State, on application to any two justices of the county in which such land shall lie, the said justices shall issue their warrant, under their hands to the sheriff of their county, to summon a jury of eighteen inhabitants of the county, of property and reputation, not related to the parties, nor in any manner interested, to meet on the land to be valued, at a day to be expressed in the warrant, not less than ten nor more than twenty days thereafter; and the sheriff, on receiving the said warrant, shall forthwith summon the said jury, and, when met, provided that not less than twelve do appear, shall administer an oath or affirmation to every juryman that shall appear, "That he will fairly, justly, and impartially value the land (not exceeding the width of three hundred feet), and all damages the owner thereof shall sustain by cutting the canal through such land, according to the best of his skill and judgment; and that, in such valuation, he will not spare any person through favor or affection, nor any person grieve through malice, hatred, or ill-will." And the inquisition thereon taken shall be signed by the sheriff and some twelve or more of the jury and returned by the sheriff to the clerk of his county, to be by him recorded, and on every such valuation the jury is hereby directed to describe and ascertain the bounds of the land by them valued, and their valuation shall be conclusive on all persons, and shall be paid by the said president and directors to the owner of the land, or his legal representatives, and on payment thereof the said company shall be seized in fee of such land, as if conveyed by the owner to them and their successors by legal conveyance.

14. *Provided, nevertheless*, That if any further damage shall arise to any proprietor of land, in consequence of opening such canal or in erecting such works, than had been before considered and valued, it shall and may be lawful for such proprietor, as often as any such new damage shall happen, by application to and a warrant from any two justices of the county where the lands lie, to have such further damage valued by a jury in like manner, and to receive and recover the same of the said president and directors. But nothing herein shall be taken or construed to entitle the proprietor of any such land to recover compensation for any damages which may happen to any mills, or other works, or improvements which shall be begun or erected by such proprietor after such first valuation, unless the said damage is willfully or maliciously done by the said president and directors, or some person by their authority.

15. *And be it enacted*, That the said president and directors, or a majority of them, are hereby authorized to agree with the proprietor or proprietors for the purchase of a quantity of land not exceeding one acre, at or near the place of the receipt of tolls aforesaid, for the purpose of erecting necessary buildings, and, in case of disagreement, or any of the disabilities aforesaid, or the proprietor being out of the State, then such

land may be valued, condemned, and paid for as aforesaid, and the said company shall, on payment of the valuation of the said land, be seized thereof in fee-simple as aforesaid.

16. And whereas it is represented that the waters of the lake in the Dismal Swamp, commonly called Drummond's Pond, may be useful for a supply of water to the said canal:

17. *Be it enacted*, That the said lake, so far as the waters thereof shall be necessary for the purpose aforesaid, shall be, and is hereby, vested in the proprietors of the said canal, and it shall and may be lawful for the said president and directors, or a majority of them, to open, if they shall find it expedient, a cross canal from the lake to the principal canal, for the purpose of drawing from thence a supply of water; and for executing this work and keeping it in repair, they shall have the same powers which they are authorized to exercise in opening the principal canal. And it shall not be lawful for any person whatsoever so to cut off or divert the courses of those waters which now flow from the westward into the said lake as to prevent their continuing to fall into it.

18. And whereas some of the places through which it may be necessary to conduct the said canals may be convenient for erecting mills and other water works, and the persons possessors of such situations may design to improve the same, and it is not the intention of this act to interfere with private property but for the purpose of improving and perfecting the said navigation.

19. *Be it enacted*, That the water, or any part thereof, conveyed through the said canals, shall not be used for any purpose but navigation, unless there shall be sufficient to answer both the purposes of navigation and water works aforesaid, in which case the said president and directors, or a majority of them, are hereby empowered and directed to enter into reasonable agreements with the proprietors of such situations concerning the just proportion of the expenses of making the canals capable of carrying such quantities of water as may be sufficient for the purposes of navigation, and also for any such water works as aforesaid.

20. And whereas the said canals may be of great utility in affording the means of draining the sunken lands through which they pass:

21. *Be it enacted*, That it shall and may be lawful for the proprietors of the said adjacent sunken lands to open cross-ditches into the said canals: *Provided*, That these cross-ditches shall not be within less than one mile of one another on the same side of the canals, and be covered, where they pass through the causeways, with good bridges, of the breadth of the causeways, at the expense of the persons cutting them, and also be so constructed that the water may be entirely prevented passing through them into the canals at any time when this shall be necessary. And the works occasioned by these cross-ditches, except the bridges, shall be kept in repair at the expense of their proprietors.

22. *And be it enacted*, That it shall and may be lawful for every of the said proprietors to transfer his share or shares, by deed executed before two witnesses, and registered, after proof of the execution thereof, in the said company's books, and not otherwise, except by devise, which devise shall also be exhibited to the president and directors, and registered in the company's books before the devisee or devisees shall be entitled to draw any part of the profits from the said tolls: *Provided*, That no transfer whatsoever shall be made, except for one or more whole share or shares, and not for part of such shares, and that no share shall at any time be sold, conveyed, transferred, or held in trust for the use and benefit or in the name of another, whereby the said president and directors, or proprietors of the said company, or any of them, shall or

may be challenged or made to answer concerning any such trust; but that every such person, appearing as aforesaid to be a proprietor, shall, as to the others of the said company, be to every intent taken absolutely as such; but between any trustee and the person for whose benefit any trust shall be created, the common remedy may be pursued.

23. And whereas it hath been represented that sundry persons are willing and desirous, on account of the public advantage, and also the improvement their estates may receive thereby, to promote and contribute towards so useful an undertaking, and to subscribe sums of money to be paid on condition the said works are completed and carried into execution, but do not care to run any risk, or desire to have any property therein:

24. *Be it therefore enacted*, That the said president and directors shall be, and are hereby, empowered to receive and take in subscriptions on the said conditions, and, on the said works being completed and carried into execution according to the true intent and meaning of this act, that it shall and may be lawful for the said president and directors, or a majority of them, in case of refusal or neglect of payment, in the name of the company as aforesaid, to sue for and recover of the said subscribers, their heirs, executors, or administrators, the sums by them respectively subscribed by action of debt or on the case in any court of record within this State.

25. *And be it enacted*, That if the said capital and the other aids already granted by this act shall prove insufficient, it shall and may be lawful for the said company, from time to time, to increase the said capital by the addition of so many more whole shares as shall be judged necessary by the said proprietors, or a majority of them, holding at least one hundred and eighty shares, present at any general meeting of the said company. And the said president and directors, or a majority of them, are hereby empowered and required, after giving at least one month's notice thereof in the North Carolina and Virginia gazettes, to open books at the before-mentioned places, for receiving and entering such additional subscriptions, in which the proprietors of the said company, for the time being, shall and are hereby declared to have the preference of all others, for the first thirty days after the said books shall be opened as aforesaid, of taking and subscribing for so many whole shares as any of them shall choose. And the said president and directors are hereby required to observe, in all other respects, the same rules therein as are by this act prescribed for receiving and adjusting the first subscriptions, and in like manner to return, under the hands of any three or more of them, an exact list of such additional subscribers, with the sums by them respectively subscribed, into the courts as aforesaid, to be there recorded. And all proprietors of such additional sums shall and are hereby declared to be from thenceforward incorporated into the said company.

26. *And it is hereby declared and enacted*, That the tolls hereinbefore allowed to be demanded and received are granted and shall be paid on condition only that the said Dismal Swamp Canal Company shall make the canal thirty-two feet wide and eight feet in depth below the surface of the earth, and capable of being navigated, in dry seasons, by vessels drawing three feet water, from Deep Creek, near Tucker's mill, in Virginia, to the highest good navigation for vessels of the aforesaid draught in Pasquotank River, in North Carolina, with sufficient locks, each of ninety feet in length and thirty-two feet in breadth, and capable of conveying vessels drawing four feet water at the least, and that each of the causeways shall be twenty feet in breadth.

27. *And it is hereby enacted and provided*, That in case the said company shall not begin the said work within one year after the company shall be formed, or if the said company shall not complete the navigation and works as aforesaid within ten years after the said company shall be formed, then shall all interest of the said company and all preference in their favor, as to the navigation and tolls of the said canals and causeways, be forfeited and cease.

28. And whereas at a meeting of commissioners appointed by the States of North Carolina and Virginia to agree on the form of an act for cutting the said canal, and for regulating the commerce which may be carried on through it between the citizens of the two States, to wit: Archibald Maclaine, William M'Kenzie, James Galloway, and John Stokes, esqs., on the part of North Carolina, and Robert Andrews and John Cowper, esqs., on the part of Virginia, at Fayetteville, in the State of North Carolina, on the twelfth day of December, in the year of our Lord one thousand seven hundred and eighty-six, the following compact was mutually agreed to by the said commissioners: First. The State of Virginia agrees that the waters of Elizabeth River from the said canal to the mouth thereof, the waters of Hampton Road, and of Chesapeake Bay to the capes, and also Roanoke River, wherever it is in Virginia, shall be forever considered as a common highway, free for the use and navigation of all vessels belonging to the State of North Carolina or any of its citizens, and that they shall not be therein subject to the payment of any toll or charge whatever imposed for the purpose of raising a revenue. Secondly. The State of Virginia agrees that no restriction, duty, or impost shall be laid on any commodity which is the growth, produce, or manufacture of the State of North Carolina, brought through the said canal or over the said causeways, for sale or exportation, and that the same may be exported without reinspection. Thirdly. The State of Virginia agrees that when any imported goods shall, within five months after entry, be exported through the said canal or over the said causeways into the State of North Carolina, in packages, bales, or casks as imported, the duties thereof shall be remitted or repaid, as the case may be, to the exporter, on his producing, within six months after the aforesaid entry, the certificate of the naval officer of the district of North Carolina, into which the said canal enters, that the said goods have been entered there. Fourthly. The State of North Carolina agrees that the waters of Roanoke River, Meherrin, Nottoway, Chowan, Albemarle Sound, as low as the mouth of Pasquotank River, and of Pasquotank, from the mouth thereof to the said canal, shall be forever considered as a common highway, free for the use and navigation of all vessels belonging to the State of Virginia or any of its citizens, and that they shall not be subject therein to the payment of any toll or charge whatever, imposed for the purpose of raising a revenue. Fifthly. The State of North Carolina agrees that no restriction, duty, or impost shall be laid on any commodity which is the growth, produce, or manufacture of the State of Virginia, passing through the aforesaid waters to the said canal, or brought through the said canal, or over the said causeways, for sale or exportation, and that the same may be sold or exported without reinspection. In those articles where it is expressed that no duty or impost is to be laid for the purpose of raising revenue, it is not to be understood that the imposition of tolls for the purpose of improving the navigation of the said waters is prevented. Sixthly. The State of North Carolina agrees that when any imported goods shall, within five months after entry, be exported through the said canal, or over the said causeways, into the State of

Virginia, in packages, bales, or casks, as imported, the duties thereof shall be remitted or repaid, as the case may be, to the exporter, on his producing, within six months after the aforesaid entry, the certificate of the naval officer of Norfolk that the said goods have been entered there. Seventhly. Imported goods passing from one part of either of the said two States to another part of the same, through any of the waters of the other State, shall not be subject to any duty imposed for the purpose of raising a revenue. Lastly. The citizens of each of the said two States may have the use of the inspections of the other for the purpose of reinspecting any damaged commodities, which have passed through the said canal, on paying the price of the labor of re-inspection and no more.

29. And whereas this general assembly are of opinion that the said compact is made on just and mutual principles for the true interest of both governments—

30. *Be it therefore enacted*, That the said compact is hereby approved, confirmed, and ratified by the general assembly of the State of Virginia, and that every article, clause, matter, and thing therein contained shall be obligatory on this State and the citizens thereof, and shall be forever faithfully and inviolably observed and kept by this government and all its citizens, according to the true intent and meaning of the said compact, and the faith and honor of this State are hereby solemnly pledged and engaged to the general assembly of the State of North Carolina and the government and citizens thereof that this law shall never be repealed or altered by the legislature of this State without the consent of the State of North Carolina. Every act or part of an act of assembly which comes within the purview and meaning of this act shall be, and the same is hereby, repealed. This act shall commence and be in force from and after the passing of a like act by the general assembly of North Carolina.

CHAP. II.—An act to amend the act entitled "An act for cutting a navigable canal from the waters of Elizabeth River, in this State, to the waters of the Pasquotank River, in the State of North Carolina." [Passed November 25, 1790.]

Be it enacted by the general assembly of Virginia, That the books directed to be opened for receiving and entering subscriptions in the towns of Norfolk, Portsmouth, Suffolk, Petersburg, Richmond, Fredericksburg, and Alexandria, by the act entitled "An act for cutting a navigable canal from the waters of Elizabeth River in this State to the waters of Pasquotank River in the State of North Carolina," shall be opened for receiving subscriptions at the said places, and under the management of the persons mentioned in the said recited act, and in the city of Williamsburg, under the management of Robert Andrews, in the month of May next, after the time when this act shall be in force, and continue open until the first day of September following; and on the third Thursday of the said month of September there shall be a general meeting of the subscribers at the town of Halifax, in the State of North Carolina, of which meting notice shall be given by the said managers, or any three of them, in the gazettes of both the aforesaid States, at least one month next before the said meeting; and such meeting shall and may be continued, and the business of it conducted in the manner prescribed for the meeting appointed by the said recited act.

2. And it is hereby declared and enacted that the tolls allowed to be demanded and received by the before-recited act, are granted and shall

be paid on condition only that the said Dismal Swamp Company shall make the canal and locks of sufficient width for vessels that are fifteen feet broad, and of sufficient depth, to be navigated in dry seasons, by vessels drawing three feet water, from Deep Creek, near Tucker's mill, in Virginia, to the highest good navigation, for vessels of the aforesaid draught, in Pasquotank River, in North Carolina, and that each of the locks shall be ninety feet in length, and the causeways fifteen feet in breadth.

3. *And be it further enacted*, That every act or part of an act of assembly which comes within the purview and meaning of this act, and every part of the before-recited act, concerning the regulation of commerce, so far as the same is now vested in the Government of the United States, shall be, and the same are hereby, repealed.

4. And so soon as an act similar to the before-recited act, as amended by this act, shall have been passed by the State of North Carolina, the before-recited act, as amended by this act, shall be in force, and shall never be repealed or altered by the legislature of this State without the consent of the State of North Carolina.

CHAP. III.—An act authorizing the treasurer of this commonwealth to subscribe for certain shares in the Dismal Swamp Canal Company. [Passed November 21, 1791.]

1. *Be it enacted by the general assembly*, That the treasurer of this commonwealth shall be authorized and directed to subscribe, in behalf of the same, to the amount of fifty shares in the Dismal Swamp Canal Company, and the money necessary, in consequence of such subscription, shall be paid to the order of the president and directors of the Dismal Swamp Canal Company, in the same proportion as shall be required from individual subscribers.

2. And the treasurer for the time being shall have a right to vote, according to such shares, in person, or by proxy, appointed by him, at the meetings of the said company, and shall receive the proportion of the tolls which shall, from time to time, become due to this State from the shares aforesaid.

3. This act shall commence and be in force from the passing thereof.

CHAP. IV.—An act altering the time of the annual general meeting of the Dismal Swamp Canal Company. [Passed December 22, 1795.]

1. *Be it enacted by the general assembly*, That hereafter the annual general meeting of the Dismal Swamp Canal Company shall be held on the fourth Monday in October, in every year, instead of the first Monday in September.

2. This act shall be in force as soon as an act of a like nature shall be passed by the legislature of North Carolina.

CHAP. V.—An act concerning the Dismal Swamp Canal Company. [Passed January 3, 1799.]

1. *Be it enacted by the general assembly*, That the treasurer be, and he is hereby, authorized and required to subscribe, on behalf of the commonwealth, for twenty additional shares in the Dismal Swamp Ca-

nal Company, which shall be held and enjoyed in like manner as the shares now held by the commonwealth in the said company; and the money, which shall become due for the shares so to be subscribed for, shall be paid by the said treasurer out of any money in his hands, on a warrant or warrants from the auditor of public accounts, to be issued on application of a board of the president and directors of the said company.

2. This act shall commence and be in force from the passing thereof.

CHAP. VI.—An act concerning the Dismal Swamp Canal Company. [Passed December 16, 1800.]

Whereas it is represented to this general assembly by the Dismal Swamp Canal Company that the said company, notwithstanding the greatest exertions, may not be able to complete the canal and other works undertaken by them, within the time to which they are limited by law, and, also, that some alterations may be made in the said works, which will be beneficial to the said company and not detrimental to the public; and whereas it consisteth with the true policy and dignity of States to encourage works of public utility and to favor those engaged in the execution of them, so far as it may comport with the general good—

1. *Be it enacted*, That the further time of five years be allowed to the Dismal Swamp Canal Company, to be computed from the nineteenth day of September, in the year one thousand eight hundred and one, to complete their canal and other works, in such a manner as to entitle them to receive the tolls granted by law.

2. *And be it further enacted*, That a causeway or road, of the dimensions prescribed by law, on one bank of the said canal, shall be sufficient until the legislatures of the States of Virginia and North Carolina shall see proper to direct a like road or causeway to be made on the other bank; any act or part of an act to the contrary notwithstanding.

3. And whereas it is represented that parts of the said canal and works may now be used, by travelers and others, with advantage, and it is just that they, who receive the benefit therefrom, should make some return for the same:

Be it enacted, That the said company shall have a right to demand and receive from those who may choose to use their causeways or water, before the navigation and works shall be completed, a reasonable compensation for the use thereof; the assembly of North Carolina having passed an act similar to this.

4. This act shall commence and be in force from and after the passing thereof.

CHAP. VII.—An act concerning the Dismal Swamp Canal Company. [Passed January 20, 1807.]

Whereas it has been represented to this general assembly, by the Dismal Swamp Canal Company, that the said company, notwithstanding the greatest exertions, will not be able to complete the canal and other works undertaken by them within the time to which they are

limited by law; and whereas it consisteth with the true policy of States to encourage works of public utility:

1. *Be it enacted by the general assembly*, That the further time of six years, to be computed from the first day of August, one thousand eight hundred and six, be allowed to the Dismal Swamp Canal Company to complete their canal and other works, in such a manner as to entitle them to receive the tolls granted by law.

2. This act shall commence and be in force from and after the passing thereof.

CHAP. VIII.—An act concerning the Dismal Swamp Canal Company. [Passed January 23, 1810.]

1. *Be it enacted by the general assembly*, That, as soon as the consent of the assembly of North Carolina shall be obtained, it shall be lawful for the president and directors of the Dismal Swamp Canal Company, and they are hereby authorized, to demand and receive, in lieu of the tolls heretofore allowed by law, tolls according to the following table and rates, to wit:

	Cents.
Every pipe of wine	100
Every hogshead of rum, or other spirit	50
Every hogshead of tobacco	34
Every hogshead of molasses	25
Every bushel of wheat, pease, rice, or flaxseed	2
Every barrel of pork	12½
Every barrel of beef	10
Every barrel of fish	6¼
Every barrel of flour	10
Every barrel of tar, pitch, rosin, or turpentine	6¼
Every cask of linseed oil, or spirits of turpentine	25
Every ton of flax, hemp, or potashes	150
Every ton of bar-iron	50
Every ton of pig-iron, or castings	50
Every ton of stone, or iron ore, other than ballast of the vessel	8
Every ton of copper, lead, or other ore, other than iron ore	42
Every chaldron of coals	10
Every hundred bushels of lime, or shells	50
Every thousand of bricks or tiles	42
Every hundred of pipe staves	20
Every hundred of hogshead staves, or pipe or hogshead heading	12½
Every hundred of barrel staves, or barrel heading	8
Every thousand shingles, from 18 to 24 inches	18¾
Every thousand shingles, from 24 inches to 3 feet	50
Every thousand clapboards or pales	50
Every cord of fire-wood	25
Every hundred cubic feet of plank, or scantling	100
Every hundred cubic feet of all other timber (excepting masts or bowsprits, the length whereof exceeds fifty feet)	75
Every hundred cubic feet of masts, or timber, the length whereof exceeds fifty feet	150
Every hundred pounds of brown sugar	4
All other produce, goods, or merchandise, one-fourth per centum.	
Every boat, or vessel, exceeding one ton burthen, whether laden or empty, if she passes in or out of the outer locks, shall, for the entire passage, pay per ton	20

	Cents.
Every boat, or vessel, under five tons burthen, whose employment is confined to transportation upon the canal only, without passing through the locks, which has not commodities on board to yield so much (except an empty boat, returning, whose load has already paid, in which case she is to pass free of toll), for each trip shall pay	75
Every boat, or vessel, under one ton burthen, which has not commodities on board to yield so much	25
Every man (except foot travelers, who shall pass free), horse, ox in draught, and wheel passing the causeways, except the loads they carry yield so much, or empty wagons or carts returning, whose load has paid toll	12½
Every head of black cattle	6½
Every hog, or sheep	2

Provided, That nothing in this act contained shall be so construed as to deprive any subsequent legislature of the right to diminish the said tolls.

2. This act shall commence and be in force from and after the passing thereof.

CHAP. IX.—An act concerning the Dismal Swamp Canal Company. [Passed February 14, 1816.]

Whereas it is represented to this general assembly that the Dismal Swamp Canal Company have not been able, from the intervention of the late war and other causes, to complete that work within the time limited by law; and it being, also, represented that an enlargement of the scale of that work to, perhaps, double its present size, and assigning to it a correspondent increase of capital to perform it, would, in an eminent degree, add to its national usefulness, both in time of peace and in war:

1. *Be it therefore enacted*, That the further time of seven years (to be computed from the first of January, one thousand eight hundred and sixteen) be allowed the Dismal Swamp Canal Company to enlarge and complete their canal in the manner hereinafter prescribed.

2. *And be it further enacted*, That the present stockholders of the said company be required to advance twenty thousand dollars on their present capital stock, being an additional twenty per cent. upon his, her, or their respective shares in the stock of the said company, payable in such installments as the president and directors of the said company, for the time being, shall find it necessary to require; and if any of the said proprietors shall refuse or neglect to pay their respective proportions of such requisitions, the said president and directors, or a majority of them, shall and may sell at auction, and convey to the purchaser, the share or shares of such proprietor so refusing or neglecting payment (giving at least one month's notice of such intended sale in the Norfolk newspapers), and after retaining the sum due, and the charges of such sale, out of the money produced thereby, they shall refund the overplus, if any, to the former owner: *Provided*, *however*, That nothing herein contained shall be construed to authorize the said president and directors to sell the share or shares of any person who, at the time, shall be under age, non compos, or not residing within this commonwealth; nevertheless, it shall be lawful for the said president and directors to withhold the payment of all dividends of such persons thereafter accruing, and, from time to time, to apply the same to the payment of the unsatisfied requisitions until they shall be fully paid, with interest.

3. *Be it enacted*, That the said canal, when completed, shall, throughout (except at the locks), be not less in width than forty feet on the surface thereof, and of sufficient depth for vessels drawing five feet water to navigate it at all seasons; and that, whensoever the present locks (which are constructed of wood) shall have become so decayed as to make new ones necessary, such new ones, at the out falls at least, shall be constructed of solid and substantial mason-work.

4. *Be it enacted*, That the said company be, and that they are hereby, authorized to raise, by one or more lotteries, the sum of fifty thousand dollars, for the purposes hereinbefore stated, or for any other purpose having for its object the extension and improvement of the internal navigation between the waters of North Carolina and those of Virginia, through the Dismal Swamp Canal, or any cross-cuts leading into it.

5. *And be it further enacted*, That if the increase of capital and other aids, by this act already granted, be not deemed sufficient to accomplish this great public work on the scale comtemplated, it shall and may be lawful for the said company still further to increase the capital thereof, by the subscription of new stock.

And the president and directors of the said company, for the time being, are hereby authorized and required, whensoever they shall find the same necessary, to open books for the subscription of any sum, not exceeding sixty thousand dollars, of additional capital stock, to be divided into shares, not less than one hundred and twenty-five dollars each; in the subscribing to which additional shares, the stockholders of the company, for the time being, are hereby declared to have a preference, for the first thirty days after the books are opened, but no longer. And all proprietors of such additional sums shall and are hereby declared to be from thenceforward incorporated into the said company: *Provided*, That the stockholders of the additional shares, hereby authorized to be subscribed for, shall not be entitled to any dividends thereupon, until six months after they shall have paid up the whole amount of their subscriptions, and that the dividends on a share of the new stock shall bear the same proportion to the dividends on a share of the old stock, as the new share bears to the old share: *Provided, also*, That in estimating the number of votes to be given on the new stock, each sum of such new stock equal in amount to a share of the old stock, and not less, shall be counted as one share.

6. *Be it enacted*, That, if the stockholders, at their next meeting, shall prefer to increase the stock of the company, in lieu of advancing twenty per cent. on their present shares, they shall be and are hereby permitted to do so.

7. *Be it further enacted*, That the fourth section of this act shall be in force from and after the passing thereof.

8. The remaining sections of this act shall be in force so soon as the same shall be approved by the stockholders of the said company, at a general meeting, and by the legislature of North Carolina.

CHAP. X.—An act authorizing the president and directors of the board of public works to subscribe for a part of the stock of the Dismal Swamp Canal Company. [Passed February 20, 1817.]

1. *Be it enacted by the general assembly*, That it shall be lawful for the president and directors of the board of public works, and they are hereby required, to subscribe, on behalf of the commonwealth, according to the terms and provisions of the act entitled "An act to create a fund

for internal improvement," so many shares of the new stock in the Dismal Swamp Canal Company, authorized by an act of the last legislature, as will augment the interest of the State in that company to the sum of sixty-four thousand dollars.* And the shares thus to be subscribed for on the part of the State shall be paid for in the following manner, and at the following periods, to wit: one-third part thereof on the first day of August, one thousand eight hundred and seventeen, one-third part thereof on the first day of August, one thousand eight hundred and eighteen, and one-third part thereof on the first day of August, one thousand eight hundred and nineteen: *Provided*, That nothing herein contained shall place the stock of the State upon any other or worse footing, as to dividends, than the stock of individual subscribers.

2. This act shall be in force from the passing thereof.

CHAP. XI.—An act authorizing the Dismal Swamp Canal Company to open a navigable communication between the canal and the nearest navigable part of the Northwest River, and other purposes. [Passed January 29, 1818.]

Whereas it is represented to the general assembly that the interests of a large portion of the citizens of this State and the State of North Carolina would be greatly promoted by cutting a canal to connect Northwest River with the Dismal Swamp Canal, or by clearing out the said river from its junction with the canal to the highest navigable point; and, moreover, that the commerce of the Dismal Swamp Canal, arising from its present sources, together with the probable increase of trade, from the improvements contemplated, make it necessary that the president and directors of the said company should have the privilege of constructing other outlets, and forming basins and other reservoirs, to contain water for the supply of locks and accommodation of boats:

1. *Be it therefore enacted*, That it shall and may be lawful for the president, directors, and company of the Dismal Swamp Canal to clear out and render navigable the Northwest River, from its junction with their canal to any navigable point of said river, which may by them be deemed expedient and best calculated to confer the benefits of good navigation, or to cut a canal, connecting the Dismal Swamp Canal with the Northwest River, at any point which may be selected by them; and, for these purposes, full power and authority is hereby granted to acquire and possess by grant, purchase, or condemnation, under a writ of *ad quod damnum*, the land through which the said canal is intended to pass; and that, on application to any two justices of the peace of the county in which such land shall lie, the said justices shall issue their warrant, under their hands and seals, to the sheriff of their county, to summon a jury of eighteen inhabitants of his county, of property and reputation, not related to the parties, nor in any manner interested, to meet on the lands to be valued, on a day to be expressed in the warrant, not less than ten nor more than twenty days thereafter; and the sheriff, on receiving the said warrant, shall forthwith summon the said jury, and, when met, provided that not less than twelve appear, shall administer an oath or affirmation to every juryman present, "that he

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*NOTE.—In the printed copy of the laws, after the words "sixty-four thousand dollars," the following words are added: "over and above the present interest of the State in the stock of that company." The printed copy was compared by Mr. Munford, keeper of the rolls, with the roll, and the copy found incorrect, on the 11th Mach, 1817.

will fairly, justly, and impartially value the lands required to be condemned, and all damages the owner thereof may sustain by cutting the canal through such land, according to the best of his skill and judgment, and that in such valuation he will not spare any person, through favor or affection, nor any person grieve through malice, hatred, or ill will." And the inquisition taken thereon shall be signed by the sheriff, and some twelve or more of the jury, and returned by the sheriff to the clerk of his county, to be by him recorded; and, on every such valuation, the jury is hereby directed to describe and ascertain the bounds of the land by them valued, and their valuation shall be conclusive on all persons, and shall be paid by the said president, directors, and company to the owner of the land, or his legal representative or representatives; and, on payment thereof, the said company shall be seized in fee of such land, as if conveyed by the owner to them and their successors by legal conveyance.

2. *Be it further enacted*, That for and in consideration of the expenses the said Dismal Swamp Canal Company may incur, not only in cutting the said canal, or clearing out the said river, erecting locks, and performing other works necessary for this navigation, but in maintaining and keeping the same in repair, the said canal, locks, causeways, and other works, with all their profits, shall be, and the same are hereby, vested in the said company, on the same terms and conditions on which they hold the Dismal Swamp Canal and its works; and it shall and may be lawful for the president, directors, and company of the Dismal Swamp Canal to demand and receive, on some place on the canal hereby authorized to be cut, or in the Dismal Swamp Canal (of which this work is intended to form a part), for all commodities transported through this new canal, or over the causeways thereof, tolls after the rate of one-third of the amount paid upon the transportation of the like commodities through the main or Dismal Swamp Canal.

3. *Be it further enacted*, That for the purpose of improving the navigation of the canal and rendering it of greater public utility, it shall be lawful for the president and directors of the Dismal Swamp Canal, and they are hereby authorized, to construct additional outlets, and to form basins and reservoirs, for the supply of the locks and accommodation of boats navigating the canal, at any point or place thereof which may be selected for that purpose; and that they have power to acquire and hold, for the use of the company, such quantity of land as may be found to be necessary for these objects, under the same restrictions, and upon the same terms and conditions, as are enacted for the acquisition of land in the first section of this act.

4. *Be it further enacted*, That the Dismal Swamp Canal Company, in their corporate capacity, shall be and are hereby empowered to prescribe the number, the places, and manner of constructing bridges that are to cross their canal; to restrain persons from depositing timber and lumber upon the roads of the canal, to the obstruction of travelers and injury of the embankments thereof; and to make such other regulations and by-laws as shall be found necessary to prevent or correct abuses, and preserve peace and good order among those who pass on this public highway.

5. *Be it further enacted*, That in case the president, directors, and company of the Dismal Swamp Canal shall not, at its next general meeting after the passage and confirmation of this law, declare its intention to open and improve the navigation of the Northwest River, or to cut a canal connecting those waters with the waters of the Dismal Swamp Canal, or shall fail within two years thereafter to commence the same, in the manner provided for by this act, it shall and may be lawful for

either of these purposes to open books of subscription, in the borough of Norfolk, under the superintendence of Swepson Whitehead, William C. Holt, Robert B. Taylor, William Cammack, Butler Maury, Miles King, and Richard Blow, to raise any sum of money that may be deemed requisite, not exceeding fifty thousand dollars, in shares of one hundred dollars each; and, when the subscription shall be completed, there shall be a general meeting of the subscribers, on such day and at such place as a majority of the said subscribers shall appoint, notice of which meeting having been given for three weeks in some newspaper printed in Norfolk. If a majority of the shares subscribed for be represented at this general meeting, the company shall thenceforth be incorporated and styled "The Northwest River Company," and shall, then and annually thereafter (there being at such subsequent meetings a majority of the shares represented), proceed to the choice of a president and four directors, and such officers, agents, and servants as may be deemed necessary for commencing, prosecuting, and conducting said work.

6. *And be it further enacted*, That the subscriptions to this company shall be made payable at such periods, and in such proportions, as the president and directors, or a majority of them, shall direct. And in case of the failure of any subscriber or subscribers to comply with the orders or requisitions of the said president and directors in this respect, the share or shares of him or them so failing may be sold at public auction, for ready money (after publishing for ten days, notice of the time and place of sale of such share or shares, in some newspaper of the borough of Norfolk), and a transfer thereof in fee-simple made to the purchaser or purchasers; and if, after the sale of such share or shares, there shall still remain a balance due thereon, the same may be recovered with costs (upon ten days' previous notice) of the subscriber or subscribers of such share or shares, his or their executors or administrators.

7. *Be it further enacted*, That it shall and may be lawful for the Northwest River Company to demand and receive, for the transportation of any article through its canal, one-third of the price which the Dismal Swamp Canal Company might lawfully charge for the transportation through it of the like article.

8. *And be it further enacted*, That the condemnation of land necessary for the purposes of this company, the transfer of shares, the appointment of directors, officers, agents, and servants, and all other necessary acts and things to be done for the government of the company, shall be after the manner and upon the principles of the charter of the Dismal Swamp Canal Company.

9. This act shall commence and be in force from and after the confirmation of the same by the legislature of the State of North Carolina.

CHAP. XII.—An act authorizing the president and directors of the board of public works to loan a sum of money to the Dismal Swamp Canal Company. [Passed March 10, 1819.]

1. *Be it enacted by the general assembly*, That it shall be lawful for the president and directors of the board of public works, at their discretion, to loan, on behalf of the commonwealth, to the Dismal Swamp Canal Company, the sum of fifty thousand dollars, or such part thereof as their funds will justify, taking into view the claims already on the board, and such other public improvements as the legislature may hereafter direct the board of public works to subscribe to.

2. This act shall be in force from the passing thereof.

CHAP. XIII.—An act changing the stock of the Dismal Swamp Canal Company from real to personal estate. [Passed February 10, 1820.]

Whereas it has been represented to this assembly that great inconvenience has been experienced in the transfer of stock in the Dismal Swamp Canal Company, and the price or value of the stock greatly diminished by reason of its being considered real estate; for remedy whereof,

1. *Be it enacted by the general assembly of the State of Virginia and it is hereby enacted by the authority of the same*, That the shares of stock in the Dismal Swamp Canal Company shall henceforth be deemed, taken, and considered, both in law and in equity, as personal estate, and, as such, transferable in such manner and form as the president and directors of the said company shall prescribe: *Provided*, That this act shall not be so construed as to affect the rights of infants already vested.

2. This act shall be in force from and after the passing thereof.

Acts of the general assembly of Virginia passed subsequent to February, 1820, respecting the Dismal Swamp Canal Company, with an appendix, containing some acts of the State of North Carolina and of the Congress of the United States in relation to that company.

CHAP. I.—An act authorizing the president and directors of the board of public works to loan a sum of money to the Dismal Swamp Canal Company. [Passed February 26, 1824.]

Be it enacted by the general assembly, That the president and directors of the board of public works shall be authorized to loan, on behalf of the Commonwealth, to the Dismal Swamp Canal Company, the sum of thirty-seven thousand five hundred dollars, payable in five equal semi-annual installments; the first to be advanced on the fifteenth day of January, eighteen hundred and twenty-five, or so soon thereafter as the state of the fund for internal improvement will permit: *Provided*, Such advance do not prevent the board of public works from complying with any engagements now existing or authorized, and that the Dismal Swamp Canal Company do execute to the president and directors of the board of public works, previous to the payment of the first installment, a mortgage upon their whole property, real and personal, as well, also, the net income of all their tolls and receipts, and cause the same to be recorded in the county court of Norfolk County, to secure the payment of the same, on or before the first day of January, eighteen hundred and thirty; and to pay the interest thereon from the respective periods of advancing the same, semi-annually, into the Treasury, to the credit of the fund for internal improvement.

This act shall be in force from the passing thereof.

CHAP. II.—An act to authorize the stockholders of the Dismal Swamp Canal Company to increase their capital stock. [Passed February 10, 1825.]

Whereas it is represented to this general assembly that the funds provided to complete the Dismal Swamp Canal are inadequate to the object; and it is recommended by the board of public works to authorize the said company to increase their capital stock, for the purpose of obtaining the means necessary to perfect this important improvement.

1. *Be it therefore enacted*, That it shall be lawful for the president and directors of the Dismal Swamp Canal Company to open books for the subscription of as many additional shares as will increase the capital of the said company to an amount which may be sufficient to complete the canal.

2. *Be it further enacted*, That the stockholders of the said company, for the time being, shall have a preference in the subscription of the new stock, by this act authorized to be created, for the first thirty days after the books are opened, but no longer. And all proprietors of such additional shares shall, and are hereby declared to be, from henceforth incorporated into the said company, upon the same terms and with the like privileges of the original stockholders.

3. *Be it further enacted*, That this act shall have no force or effect until it shall have been sanctioned and approved by the stockholders in a general meeting, convened agreeably to the provisions of the charter of the said company, and they shall have decided upon the increase of capital necessary to carry the object of this act into effect.

4. This act shall be in force from the passing thereof.

CHAP. III.—An act to amend an act entitled "An act for cutting a navigable canal from the waters of Elizabeth River, in the State of Virginia, to the waters of Pasquotank River, in North Carolina." [Passed January 7, 1836.]

Whereas it is represented that the general assembly of the commonwealth of North Carolina did, at its last session, pass an act entitled "An act to amend an act entitled 'An act for cutting a navigable canal from the waters of Elizabeth River, in the State of Virginia, to the waters of Pasquotank River, in North Carolina,'" passed in Virginia December the first, one thousand seven hundred and eighty-seven, in the words following, to wit:

"1. *Be it enacted by the general assembly of the State of North Carolina and it is hereby enacted by the authority of the same*, That the sixth section of the act aforesaid be so altered and amended that, in case of the death, removal, resignation, or incapacity of the president or of any of the directors, the board of directors may elect one of their own body or any stockholder of the company to supply the vacancy thus created, and the person so elected shall hold such appointment until the next meeting of the stockholders, and no longer.

"2. *Be it further enacted*, That after the next general meeting of the stockholders of the Dismal Swamp Canal Company, on the first Monday in May next, the next general meeting shall be on the first Monday in November, one thousand eight hundred and thirty-six, and continued by adjournment, as heretofore, and on the first Monday in November in each year afterwards.

"3. *Be it further enacted*, That at the election of president and directors of said company which shall take place in May next, the same shall be elected until the first Monday in November, one thousand eight hundred and thirty-six, when the president and directors shall be elected for one year, and so shall be elected on the first Monday of November in each year in manner and form as heretofore."

1. *Be it therefore enacted by the general assembly of this commonwealth*, That the assent of this legislature in and to the foregoing act of the general assembly of North Carolina is hereby as fully and completely given as if the said act had been passed by this present general assembly, and the same shall be in force within this commonwealth from and after the passing of this act.

CHAP. IV.—An act to authorize the president and directors of the Dismal Canal Company to erect a lock and dam in Deep Creek. [Passed February 4, 1837.]

1. *Be it enacted by the general assembly*, That it shall be lawful for the president and directors of the Dismal Swamp Canal Company to make application to the county court of Norfolk County for a writ of *ad quod damnum*, directed to the sheriff of said county, commanding him to summon twelve freeholders of his county, who, being first sworn, shall locate, circumscribe, and value any quantity of land, not exceeding one acre, lying on Deep Creek, in said county, at any point below the present locks of said company, for the purpose of abutting a dam, to be erected by the said president and directors across the said creek, of sufficient height to keep the water in said creek at usual high-water mark, and shall also examine the lands above and below the point at which such lock and dam is proposed to be erected, and say what damage will arise to the several proprietors thereof; whether any, and if any what, lands will be overflowed; whether the health of the neighborhood will be injuriously affected, and whether the navigation of Deep Creek above and below such lock and dam will be injured; and upon the finding of the jury and the return of their inquest, embracing the points of inquiry aforesaid, and the payment of all damages by them assessed, the said county court of Norfolk (the magistrates of said county having been first summoned and a majority thereof being present), may, if it shall be of opinion that it is expedient to do so, grant the leave to erect such lock and dam: *Provided*, The same be erected within the period of seven years; reserving to any party conceiving himself or herself aggrieved by the order of court permitting the erection of said dam the right of appeal to the superior court of law and chancery for the said county of Norfolk, which shall have the same power to consider the said application and to grant or refuse the same as is by this act given to the said county court: *Provided, however*, That nothing herein contained shall be so construed as to vest in the said company any right of property in the lands or water in said creek above the dam, nor to prohibit to any company or companies hereafter to be incorporated, or to any individual or individuals, the use of the water above the said dam for mills, manufactories, or canals, or any other purposes which shall not interfere with or obstruct the navigation of the canal. And the general assembly hereby reserves to itself the right at any time hereafter when it shall think proper to do so, to raise the water in the said creek by increasing the height of the dam.

2. *Be it further enacted*, That if the leave be granted to the said president, directors, and company to erect the said lock and dam, they shall be, and are hereby, required to erect a good and sufficient lock, of capacity and dimensions at least equal to those of the company at the eastern and northern termination of their canal, and to cause regular and sufficient attendance to be given thereat at all times to admit the passage of all vessels, lighters, and boats navigating Deep Creek free of any charge or toll whatever, and should any delay or obstruction at any time occur in the passage of any vessel, lighter, or boat through such lock, the said president, directors, and company shall forfeit and pay the sum of twenty dollars for every time such delay or obstruction shall happen, recoverable by warrant in the name of the commonwealth before any justice of the peace for the county of Norfolk, one-half of which penalty shall go to the prosecutor therefor, and the other half to the literary fund; and they shall moreover be liable from time to time to private actions or suits for all such damages as shall be sustained by reason of the erection of such lock and dam.

3. *And be it further enacted*, That if, at any time after the erection of the lock and dam hereby authorized, the navigation of Deep Creek in the county of Norfolk, above the said lock and dam, shall not, in all respects and at all times, be as good and sufficient for vessels, lighters, and boats, as it now is at ordinary high water, upon complaint thereof, made either to the circuit superior court of law and chancery for the county of Norfolk, or to the county court of Norfolk, it shall be lawful for such court to enter a rule against the said president, directors, and company, to appear at the next court, to show cause, if any they can, why an information should not be filed against them, for their neglect to provide and secure such navigation; a copy of which rule being served upon the president, or any director of the said Dismal Swamp Canal Company, the same proceedings shall be had thereupon as in other cases; and if, upon the trial of such information, the verdict of the jury shall be against them, the court shall render judgment thereupon, abating the lock and dam hereby authorized to be erected.

4. This act shall be in force from its passage.

[Repealed by act of February 2, 1838, ch. 6, sec. 5.]

CHAP. V.—An act to authorize the Dismal Swamp Canal Company to increase their capital stock, and to authorize the loans of the State to said company to be converted into stock. [Passed February 17, 1837.]

1. *Be it enacted by the general assembly*, That the president and directors of the Dismal Swamp Canal Company be and they are hereby authorized and empowered, with the assent of a majority of the votes of the stockholders of the company, in general meeting expressed, either before or after the passage of this act, to increase the capital stock of said company to nineteen hundred and forty-four shares; and the purchaser or purchasers, subscriber or subscribers of the shares of said stock thus increased, shall have and enjoy all the rights and privileges which they would have been entitled to, if the said shares had been a part of the stock authorized in the original charter, or any amendment thereof.

2. *Be it further enacted*, That the board of public works be and are hereby authorized and directed to subscribe, on behalf of the commonwealth, for such amount of stock of said company as will increase the subscription on the part of the State to seven hundred and sixty shares of the whole capital increased as aforesaid; which subscription shall be made agreeably to the terms and conditions of the act entitled "An act prescribing certain general conditions on which future subscriptions to the capital of joint-stock companies shall be made on behalf of the commonwealth," passed February the eleventh, one thousand eight hundred and thirty-two.

3. *Be it further enacted*, That if the unappropriated income of the fund for internal improvement shall be inadequate to meet the payments of the said subscription, as the same shall become due, it shall and may be lawful for the said board of public works to borrow, from time to time, such sum or sums of money as may be required for that purpose, upon the terms and conditions prescribed for the loans to be negotiated agreeably to the second, third, fourth, fifth, and sixth sections of the act entitled "An act authorizing a subscription on behalf of the commonwealth to the stock of the Louisa Railroad Company," passed at the present session of the general assembly.

4. This act shall be in force from its passage.

CHAP. VI.—An act to authorize the erection of a lock and dam in Deep Creek by the president and directors of the Dismal Swamp Canal Company, and for repealing the act of the 4th February, 1837. [Passed February 2, 1838.]

Whereas it has been represented to this present general assembly that serious obstructions exist in Deep Creek in the county of Norfolk, and are likely to increase, to the great inconvenience and injury of the commerce and navigation passing through the Dismal Swamp Canal:

1. *Be it therefore enacted*, That the president and directors of the Dismal Swamp Canal Company be and they are hereby authorized to abut a dam at any place in Deep Creek, below the present locks, which shall retain the water, between the said locks and dam to be erected at the usual high-water mark, to be ascertained by a competent engineer to be employed by the company; and, for this purpose, it shall and may be lawful for the said president and directors to make application to the court of Norfolk County, or to the circuit superior court of law and chancery for said county, for a writ of *ad quod damnum*, directed to the sheriff of said county, commanding him to summon twelve freeholders of his county, who, being first sworn, shall locate, circumscribe, and value any quantity of land, necessary for the construction of said lock and dam, not exceeding six acres, lying on said creek, at any point below the present out-fall locks; and shall also examine the mills and lands above and below the point at which such lock and dam are proposed to be erected, and say what damages will arise to the several proprietors thereof; whether any, and, if any, what lands will be overflowed, and whether the navigation of Deep Creek, above and below such lock and dam, will be injured; and, upon the finding of the jury and the return of their inquest embracing the points of inquiry aforesaid, the court may either grant leave to erect such lock and dam, and direct the payment of the damages assessed, or may set aside the said inquest, and direct another view and inquest to be made as often as the court may think necessary. But the said president and directors are hereby empowered to proceed at any time to the erection of said lock and dam; and in the mean time no order shall be made and no injunction shall be awarded by any court or judge to stay the proceedings of the said president and directors, unless it be manifest to the court that the said president and directors, their officers, agents, or servants, are transcending their authority, and the interposition of the court is necessary to prevent injury that cannot be adequately compensated in damages: *Provided, however*, That the said president and directors shall have first applied for and obtained the writ of *ad quod damnum*, according to the provisions of this act: *Provided*, The said dam be erected within the period of seven years from the passage of this act; and also to erect a lock or locks of sufficient capacity to receive and pass any vessel that can now pass through the present locks at the north outfall of the said canal.

2. *Be it further enacted*, That, upon the return of such writ of *ad quod damnum* to the court of Norfolk County, it shall and may be lawful for either party, that is to say, the owner or owners of the said land, or for the said company, to appeal from any decree, order, or judgment which the said county court may enter or make in the case to the superior court of law and chancery for said county, which is hereby authorized to make such order or decree in the case as to the said superior court shall appear right and proper.

3. *Be it further enacted*, That the lock or locks which the said company may cause to be constructed under this act shall be free for all vessels, boats, lighters, and rafts of timber to pass and repass, free of any charge of toll or tonnage, at all times when it can be safe to open the said lock

or locks; and, if any person or persons shall be detained or hindered in passing the same, through any fault or neglect of the said company, their agents or servants, the said company shall be liable for all injury or damage sustained thereby, to be recovered by warrant, petition, or action at law, according to the extent of damage sustained, as the case may be.

4. *Be it further enacted*, That nothing in this act shall be construed as investing any exclusive right in the said company to the water, or the land which it may cover, except for the purposes contemplated by this act.

5. *Be it further enacted*, That the act passed on the fourth day of February, eighteen hundred and thirty-seven, entitled "An act to authorize the president and directors of the Dismal Swamp Canal Company to erect a lock and dam in Deep Creek," shall be, and the same is hereby, repealed.

6. *Be it further enacted*, That if the aforesaid president and directors of the Dismal Swamp Canal Company shall erect the locks and dam hereinbefore authorized, they shall not use the waters of the said canal, nor permit the same to be used by any other person, nor draw off the same, nor permit the same to be drawn off, for the use of mills, or any other purpose than that of affording navigation for the boats, vessels, or rafts that may be employed in the transportation of commodities on said canal.

7. This act shall be in force from its passage.

CHAP. VII.—An act to amend and explain certain acts concerning the Dismal Swamp Canal Company. [Passed February 9, 1839.]

Whereas doubts have arisen as to the true construction of the "Act authorizing the Dismal Swamp Canal Company to open a navigable communication between the canal and the nearest navigable part of the Northwest River, and for other purposes," passed January the twenty-ninth, eighteen hundred and eighteen, for remedy whereof,

1. *Be it enacted by the general assembly*, That the said act shall be deemed and taken as giving full power and authority to the president and directors of the Dismal Swamp Canal Company to make a sufficient outlet or canal, from or near the present northern termination of the said Dismal Swamp Canal, in Deep Creek, to some place on the Southern Branch of Elizabeth River, below the mouth of Deep Creek; and that the condemnation of lands necessary for such purpose shall be made in the manner and upon the principles prescribed in the charter of the said canal company; and full power and authority are hereby given to the president and directors of the company to make the said outlet or canal as aforesaid, and to condemn the lands necessary for that purpose in manner aforesaid.

2. *And be it further enacted*, That the president and directors of the said company shall be, and are hereby, authorized and empowered to erect a lock or locks, on the said outlet or canal, of sufficient dimensions and suitable for vessels navigating the said Dismal Swamp Canal.

3. *And be it further enacted*, That the act passed on the second day of February, eighteen hundred and thirty-eight, entitled "An act to authorize the erection of a lock and dam in Deep Creek, by the president and directors of the Dismal Swamp Canal Company," shall be so construed as to leave the erection of said lock to the discretion of the

said president and directors, anything in said act to the contrary notwithstanding: *Provided, however*, That the outlet and lock or locks, which the said company may cause to be constructed under this act, shall be free for all vessels, boats, lighters, and rafts of timber, the proprietors of which reside or own lands upon said outlet, or Deep Creek, to pass and repass free of any charge of toll or tonnage, at all times, when it can be safe to open said lock or locks; and if any such vessels, boats, lighters, or rafts of timber shall be detained or hindered in passing the same, through any fault or neglect of said company, their agents or servants, the said company shall be liable for all injury or damage sustained thereby, to be recovered by warrant, petition, or action at law, according to the extent of damage sustained, as the case may be.

4. This act shall be in force from the passing thereof.

CHAP. VIII.—An act to exempt the lock-keepers of the Dismal Swamp Canal from militia duty. [Passed March 29, 1839.]

1. *Be it enacted by the general assembly*, That the six* lock-keepers of the Dismal Swamp Canal Company shall hereafter be exempt from militia duty of every kind, except in times of war, insurrection, or invasion.

2. This act shall be in force from the passing thereof.

APPENDIX.

CHAP. I.—An act to provide for the removal of the obstructions to the passage of masted vessels from the Dismal Swamp Canal to Albermarle Sound. [Passed January 8, 1829.]

Whereas complaint has been made to the general assembly that a bridge erected across Pasquotank River, by the counties of Camden and Pasquotank, obstructs the passage of masted vessels from the Dismal Swamp Canal to the waters of Roanoke and the other rivers flowing into Albermarle Sound. And whereas, in the compact entered into with the State of Virginia, the State of North Carolina pledged its faith and honor that the waters of Roanoke River, Meherrin, Nottoway, Chowan, Albemarle Sound as low down as the mouth of Pasquotank River, and of the Pasquotank, from the mouth thereof, to the said canal, should be forever considered a common highway, free for the use and navigation of all vessels belonging to the State of Virginia, or any of its citizens. And whereas it is represented to this general assembly that the said counties have been at considerable expense in erecting said bridge, and that a draw might be fixed therein, so as to permit the passage of vessels having masts; and inasmuch as the making of such draw, or otherwise altering the constructiom of said bridge, so as to permit the passage of masted vessels, would be for the public benefit, it is just and proper that the State should contribute toward the expense thereof:

1. *Be it therefore enacted by the general assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That Willie

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* NOTE.—There are six lock-keepers in Virginia and two in North Carolina. [See Appendix, chap. 2.]

McPherson, George Ferrebee, and Joseph Dozier, of Camden County, and William S. Hinton and Noah Sawyer, of Pasquotank, be and they are hereby appointed commissioners, whose duty it shall be to examine said bridge; and if, in their opinion, a draw can be fixed therein, so as not to obstruct the passage of vessels with masts, they, or a majority of them, may cause the same to be done in the best and most economical manner, by contract or otherwise, and, when accomplished, the said commissioners, upon obtaining a certificate from the president of the Dismal Swamp Canal Company that the said bridge is so fixed as not to obstruct the passage of masted vessels, steamboats, or other vessels, are hereby authorized to demand of, and receive from, the public treasurer, the sum necessary to pay for such draw or other alteration in said bridge: *Provided*, The same shall not exceed the sum of two hundred and fifty dollars; and the public treasurer is hereby authorized and directed to pay the same on presentment of the certificate from the president, as aforesaid.

2. *And be it further enacted*, That the said counties of Pasquotank and Camden shall, ever hereafter, so long as they may keep the bridge across Pasquotank River, as aforesaid, keep a good and sufficient draw in said bridge, so as not to obstruct the passage of any vessel, with or without masts, in passing to or from said canal, at the proper cost and charge of the counties aforesaid.

3. *And be it further enacted*, That, if the said commissioners shall fail to have a draw fixed in said bridge, or to have it so altered as to permit vessels to pass with masts, by the time the said canal shall be ready to admit of the passage of steamboats, or vessels with masts, then, and in that case, it shall be the duty of the sheriff of each of the counties of Pasquotank and Camden, or either of them, and they, or either of them, are hereby required to summon a sufficient force, and without delay, to remove so much of said bridge as may obstruct the passage of any vessels as aforesaid, whenever the president of the Dismal Swamp Canal Company shall require; and if the said sheriffs, or either of them, shall neglect or refuse to remove said bridge, as aforesaid, when required as aforesaid, they, or either of them, so neglecting or refusing, may be prosecuted by said president, in his own name, for such neglect or refusal, in any court having competent jurisdiction, and, on conviction, shall be fined in a sum not exceeding five hundred dollars, to the use of the State.

4. *And be it further enacted*, That if at any time hereafter the said draw shall not be kept in good and sufficient repair for the purposes aforesaid, it shall be the duty of the sheriffs of said counties, on complaint of the president of the Dismal Swamp Canal Company, to remove said bridge.

5. *And be it further enacted*, That the governor of the State be requested to transmit a copy of this act to the president of the Dismal Swamp Canal Company, and a copy to each of the sheriffs of Pasquotank and Camden Counties, as soon as can be conveniently done, after the ratification hereof.

6. *And be it further enacted*, That this act shall be in force from and after the passage thereof.

CHAP. II.—An act to exempt lock-keepers on the Dismal Swamp Canal from working on roads and militia service. [Passed January 8, 1839.]

1. *Be it enacted by the general assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the lock-keepers the Dismal Swamp Canal shall be, and they are hereby, exempted from working on all public roads and from militia duty, except in time of insurrection or invasion, any law to the contrary notwithstanding.

CHAP. III.—An act of the Congress of the United States for subscription to the Dismal Swamp Canal Company. [Approved May, 1826.]

1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to subscribe, in the name and for the use of the United States, for six hundred shares of the capital stock of the Dismal Swamp Canal Company, and to pay for the same at such times and in such proportions as may be required by the existing rules and regulations of the said company.

2. *And be it further enacted*, That the Secretary of the Treasury shall vote for the president and directors of the said company, according to the said number of shares, and shall receive upon said stock the proportion of tolls and emoluments which shall, from time to time, become due to the United States, on the shares of stock aforesaid.

3. *And be it further enacted*, That this act shall not go into effect until the United States Board of Engineers shall examine said canal, and make report in writing to the Secretary of War, that, in their opinion, the plan on which the said canal is to be executed will answer, as far as circumstances will permit, as a part of a chain of canals contemplated along the Atlantic coast; and that, in their opinion, the sum hereby authorized to be subscribed for will be sufficient to finish the canal according to said plan: *And be it further provided*, That, to carry this act into effect, the sum of one hundred and fifty thousand dollars is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

4. *And be it further enacted*, That the money subscribed on behalf of the United States shall be actually expended in the completion of the canal, and not in the payment of any debt or debts now owing by the company; and it shall be the duty of the Secretary of the Treasury, before the payment of any part of the money subscribed for on behalf of the United States, to adopt such measures as shall insure the application of the same to the completion of the said canal, and to no other purpose whatsoever.

CHAP. IV.—An act of the Congress of the United States authorizing the subscription of stock in the Chesapeake and Delaware Canal Company, and in the Dismal Swamp Canal Company. [Approved 2d March, 1829.]

1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to subscribe, in the name and for the use of the United States, for seven hundred and fifty shares of the capital stock of the Chesapeake and Delaware Canal Company, and also for two hundred shares of the capital stock in the Dismal Swamp Canal Company, and pay for the same at such times and in

such proportions as may be required by the said companies, respectively, to be paid out of any money in the Treasury not otherwise appropriated.

2. *And be it further enacted*, That the Secretary of the Treasury shall vote for president and directors of the said companies, respectively, according to such number of shares, and shall receive upon the said stock the proportion of the tolls which shall, from time to time, be due to the United States for the shares subscribed.

No. 1.

DEPARTMENT OF JUSTICE,
OFFICE OF THE SOLICITOR OF THE TREASURY,
Washington, D. C., July 10, 1877.

SIR: I have the honor to transmit herewith a report made by Mr. Webster Elmes, chief clerk of this office, relative to the matter of the Dismal Swamp Canal Company of Virginia, and of the sale of the works under a trust-deed, as advertised for the 9th of August.

Mr. Elmes was designated by my predecessor to examine into this matter, in accordance with authority given by your letter to this office of the 6th ultimo.

As the sale of these works, in which the United States has a large pecuniary interest, is advertised for the 9th proximo, and as such sale, if made, will doubtless sacrifice the property of the company and entirely dispossess the government of its interest therein, some speedy and definite action on the part of your department seems to be required.

Very respectfully,

K. RAYNER,
Solicitor of the Treasury.

HON. JOHN SHERMAN,
Secretary of the Treasury.

No. 2.

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, Va., June 29, 1877.

SIR: I have the honor to transmit herewith the following statements relative to the Dismal Swamp Canal, viz:

No. 1.—Extract from minutes of stockholders' meeting authorizing company to borrow, for improvement of works, &c., $200,000.

No. 2.—Extracts from minutes of stockholders' meeting authorizing the execution of the trust.

No. 3.—Stockholders' meeting authorizing terms in explanatory deed.

No. 4.—Receipts and disbursements of the company for years ending 30th September, 1874, 1875, and 1876.

Very respectfully, your obedient servant,

W. B. ROGERS,
President.

WEBSTER ELMES, Esq.,
Office of Solicitor of the Treasury, Washington, D. C.

No. 3.

Extract from minutes of stockholders' meeting authorizing the company to borrow, for improvement of works and payment of debts, not exceeding $200,000.

At an annual meeting of the Dismal Swamp Canal Company, pursuant to notice, at the office of the company, on Monday, November 5, 1866, Tazewell Taylor was called to the chair, and G. W. Camp appointed secretary—

Meeting being duly organized—

* * * * * * *

On motion, it was

Resolved, That the president and directors be, and are hereby, authorized to borrow such amount of money as may be necessary for the improvement of the works and payment of debts, not exceeding $200,000, and to issue bonds of the company bearing a rate of interest not exceeding 8 per cent. per annum; and to pledge the entire works of the company for the payment of said bonds, and to memorialize the legislature for the necessary authority.

No. 4.

Extracts from minutes of stockholders' meeting authorizing the execution of the trust.

NORFOLK, *Thursday, June* 20, 1867.

At a called meeting of the board of directors of the Dismal Swamp Canal Company, held this day, were present E. C. Robinson, president, and Messrs. Simmons, Whipple, Marrow, and Whitehead.

* * * * * * *

The president presented the deed of trust drawn up by the company's attorney, to secure the holders of the company's 8 per cent. bonds; when,

On motion, it was

Ordered, That $200 be and is hereby appropriated to pay for the necessary stamps to said deed, which the treasurer will procure and pay for when required and attach to said deed when executed.

The wording and design of the company's 8 per cent. bonds, a proof-sheet of which was submitted by the president for the approval of the board, were examined and approved.

No. 5.

At a meeting of the president and directors of the Dismal Swamp Canal Company held at the office of the company in the city of Norfolk on the 16th day of February, 1869.

Present: Thos. J. Corprew, president; D. D. Simmons, J. B. Whitehead, W. H. C. Ellis, B. P. Loyall, directors.

On motion of John B. Whitehead, it was

Resolved. That the president be directed to execute an explanatory deed to the deed of trust executed on the 1st July, 1867, which deed was read to the board.

On motion, the meeting adjourned.

THOS. J. CORPREW, *President.*

No. 6.

Receipts and disbursements of the Dismal Swamp Canal Company for the years ending 30th September, 1874, 1875, *and* 1876.

For year ending 30th September, 1874:	
Receipts	$19,962 54
Disbursements (repairs and general expenses)	8,153 66
For year ending 30th September, 1875:	
Receipts	11,210 31
Disbursements (repairs and general expenses)	8,614 58
For year ending 30th September, 1876:	
Receipts	10,684 13
Disbursements (repairs and general expenses)	6,145 28

No. 7.

Extract from the minutes of the stockholders' meeting of the Dismal Swamp Canal Company held on the 5th day of November, 1866.

At an annual meeting of the Dismal Swamp Canal Company, pursuant to notice, at the office of the company on Monday, November 5, 1866, Tazewell Taylor was called to the chair and G. W. Camp appointed secretary.

On motion, Messrs. C. W. Newton and William Selden were appointed a committee to examine proxies and report the number of shares present and represented. After examination the committee reported that there were present:

	Shares.	Votes.
The United States, by E. W. Whipple	800	168
The State of Virginia and board of public works, by C. Burrass and W. C. Marrow	760	168
Sundry stockholders	163	123
Total stock represented	1,723	459

The president, Mr. Whittle, made his report showing the condition of the company, together with a statement of its finances, which was received and ordered to be filed, and on motion of Mr. Ellis the report with accompanying documents was referred to a committee of five stockholders, who were directed to examine fully into the affairs of the company and report as soon as possible to the board of directors to be elected.

The chair appointed the following committee: Messrs. C. W. Newton, William Selden, W. W. Lamb, W. J. Hardy, and J. H. Johnston. Upon a motion the name of T. Taylor was substituted by the meeting for that of J. H. Johnston.

The meeting proceeded to the election of the president for the ensuing twelve months; when Dr. E. C. Robinson was declared elected president.

The election of four directors followed; when Messrs. Marrow, Whipple, Whitehead, and Dickson were declared duly elected directors.

On motion, it was

Resolved, That the president and directors be and are hereby authorized to borrow such amount of money as may be necessary for the im-

provement of the works and payment of debts, not exceeding $200,000; and to issue bonds of the company bearing a rate of interest not exceeding 8 per cent. per annum; and to pledge the entire works of the company for the payment of said bonds, and to memorialize the legislature for the necessary authority.

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, Va., July 5, 1875.

I hereby certify the foregoing to be a correct extract from the minutes of the stockholders' meeting held on the 5th day of July, 1866, as appears from the records of this office.

W. B. ROGERS,
President Dismal Swamp Canal Company.

No. 8.

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, Va., July 5, 1877.

SIR: As requested in your letter of the 2d instant, I have the honor to transmit herewith extract from the minutes of the stockholder's meeting of the Dismal Swamp Canal Company, held on the 5th day of November, 1866; also copy of bondholders' notice to trustees requiring a sale of the trust property.

I am, very respectfully, your obedient servant,

W. B. ROGERS,
President Dismal Swamp Canal Company.

WEBSTER ELMES, Esq.,
Office Solicitor Treasury, Washington, D. C.

No. 9.

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, June 30, 1877.

SIR: I have the honor to acknowledge the receipt of your communication of the 29th instant, and in reply thereto I would say that I could only report a transcript of the books, as I received them from my predecessor, the former president, in 1871.

A payment had been made by my predecessor, which reduced the claim to $888.90, as reported. (Edwards.)

All of the judgments are subsequent to the mortgage. The bills payable reported by me of $21,811.77, as found by me on the books, included these judgments mentioned by you of $12,000, and $13,053.73, less $6,000 (making $7,053.73). Some other claim, unknown to me, but appearing as bills payable, must be in existence to make the difference between the amounts. The judgments in favor of D. J. Turner were for work claimed to have been done prior to the war, were disputed by the company. Suit was brought for the same, and it was decided *vs.* the company at last. This claim did not regularly appear on the books, as it was not audited and in dispute.

The claims I know of amount to some $40,000. Of course, interest

will materially increase the amount, but I am sure I could buy them all up for 50 cents on the dollar, or less, with money to do so.

As requested, I send memorandum of judgments.

I am, very respectfully, your obedient servant,

W. B. ROGERS,
President Dismal Swamp Canal Company.

WEBSTER ELMES, Esq.,
Office Solicitor of the Treasury, Washington, D. C.

No. 10.

Statement exhibiting judgments against the Dismal Swamp Canal Company.

Jno. M. Goddin vs. *Dismal Swamp Canal Company*: $12,000, with interest from September 27, 1863, and costs, $17.34.

Jno. M. Goddin vs. *Dismal Swamp Canal Company*: $13,053.72, with interest from September 3, 1863, and $17.34 costs, subject to credit of $6,000 as of September 11, 1863.

Danl. J. Turner vs. *Dismal Swamp Canal Company*: $2,889, with interest from July 25, 1868, and costs, $18.31.

Danl. J. Turner vs. *Dismal Swamp Canal Company*: $18,328.33, with interest on $15,154.76 from May 29, 1867, and costs, $45.62.

Office Dismal Swamp Canal Company, Norfolk, June 30, 1877.

W. B. ROGERS,
President Dismal Swamp Canal Company.

No. 11.

CHAP. I.—An act authorizing the Dismal Swamp Canal Company to issue 8 per cent. bonds. [Passed December 6, 1866.]

1. *Be it enacted by the general assembly*, That it may and shall be lawful for the Dismal Swamp Canal Company to issue coupon bonds, bearing interest at the rate of 8 per centum per annum, the principal to be paid at such time and place as may be deemed by the company most expedient, and the interest to be paid semi-annually at such place as may be determined on for the payment of the principal of such bonds: *Provided*, That the whole amount of bonds which shall be issued under this act shall not exceed the sum of two hundred thousand dollars.

2. *Be it further enacted*, That the said company be, and they are hereby, authorized to sell and dispose of the bonds authorized by this act in such mode and on such terms as they may deem advisable, and to give such security for the punctual payment of the said bonds as they may deem expedient.

3. This act shall be in force from and after the confirmation of the same by the legislature of North Carolina.

No. 12.

OFFICE DISMAL SWAMP CANAL COMPANY,
Norfolk, July 5, 1877.

SIR: I annex statement of revenue of the Dismal Swamp Company, as follows:

For a period of seven years prior to the war (1854 to 1860), average yearly, $36,436.

Ten years subsequent, deducting three years the government held the work (1861 to 1870), average yearly, $10,135.

Seven years of my administration, 1871 to 1877, estimating the income for the next three months at $1,000 per month (fiscal year ends 30th September, 1877), average yearly, $15,392.

An increase of 50 per cent. over the previous seven years, and the work in vastly improved condition for its capacity.

Very respectfully, your obedient servant,

W. B. ROGERS,
President Dismal Swamp Canal Company.

WEBSTER ELMES, Esq.,
Office Solicitor Treasury, Washington, D. C.

No. 13.

BALTIMORE, *April* 4, 1877.

Messrs. JAMES CORMICK, CINCINNATUS W. NEWTON, and WILLIAM H. C. ELLIS, trustees under two deeds of the Dismal Swamp Canal Company, bearing date respectively 1st day of July, 1867, and 10th day of February, 1869:

GENTLEMEN: We, the holders of the bonds of the Dismal Swamp Canal Company, as here below stated, the interest upon which has not been paid by said company, as covenanted and agreed in said deeds, do now by these presents request and require that you shall duly advertise and make sale of the franchises, property, &c., conveyed to you by said deed in accordance with the provisions therein contained.

Names.	Amount.
Thomas C. Jenkins represents	$27,000
D. H. Gordon	1,000
Stephen Bonsal	5,000
R. Manson Smith, trustee	3,000
Thomas Wilson	15,000
Johns Hopkins University, Francis White, treasurer	7,000
Joseph Merryfield, treasurer Johns Hopkins Hospital	8,000
James Y. Leigh and Mrs. S. F. Pegram	10,000
Richard Dickson	3,000
William Selden	5,000
Burruss, Son & Co	24,000
John B. Whitehead	2,000
John B. Whitehead, president Franklin Savings' Bank	7,000
S. and E. W. Tazewell	4,000
M. Z. Waller	1,000
W. V. Taylor	4,000
John D. Gordon	4,000
C. B. Duffield, for Miss V. S. J	1,000

Thomas Baltimore	$3,000
F. H. Baker	2,000
F. H. Baker, for Misses A. Armstrong, R. Armstrong, and J. C. Armstrong	4,000

I hereby certify the within to be a true copy of the original.

W. B. ROGERS,
President Dismal Swamp Canal Company.

No. 14.

NORFOLK, VA., *June* 28, 1877.

WEBSTER ELMES, Esq.,
Office of the Solicitor of the Treasury, Washington, D. C.:

DEAR SIR: At a meeting of the bondholders of the Dismal Swamp Canal Company, held in Norfolk, Wednesday, June 20, the following resolution was unanimously adopted:

Resolved, That the bondholders present respectfully request that the honorable Secretary of the Treasury make an immediate examination of the affairs of the Dismal Swamp Canal Company, and if, after such an examination, he will agree to recommend to Congress to appropriate a sufficient amount to put the canal in thorough order, or some other measure that will save the interest of the United States, amounting to nearly one million of dollars, that the trustees be authorized to postpone the sale until such time as they may deem expedient.

WILLIAM LAMB,
Secretary.

C. W. NEWTON, Esq.,
Chairman.

No. 15.

NORFOLK, *July* 28, 1877.

SIR: On the part of the trustees of the bondholders of the Dismal Swamp Canal Company, and in pursuance of your request to them under date of July 24, 1877, I have the honor to report that the large majority of the bondholders assembled in meeting, on the 26th July ultimo, agreed to postpone the sale of the canal until the adjournment of the next regular session of Congress, and that the trustees have concurred in this action.

Though this posponement necessarily entails inconvenience and expense upon the parties interested, we cheerfully submit to it with the belief that a full examination of the merits of our application will be attended with the best results.

Very respectfully,

C. W. NEWTON,
For Himself and other Trustees.

Hon. KENNETH RAYNER,
Solicitor United States Treasury Department, Washington, D. C.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 20.

LAND-GRANT RAILROADS.

LETTER

FROM

THE SECRETARY OF WAR,

RELATIVE TO

A decision of the Supreme Court upon the matter of payments to land-grant railroads.

DECEMBER 10, 1877.—Referred to the Committee on the Judiciary and ordered to be printed.

WAR DEPARTMENT,
Washington City, December 7, 1877.

The Secretary of War has the honor to invite the attention of the House of Representatives to the letter of his predecessor, dated March 2, 1877, transmitting a report of the Second Comptroller of the Treasury in relation to the decision of the Supreme Court in the matter of land-grant railroads. (Published in Senate Ex. Doc. No. 45, Forty-fourth Congress, second session.)

No action having been taken in the case, he has the honor to renew the recommendation contained in the letter above referred to, that such legislation be had "as will remove the prohibition imposed by law upon any payment to these railroad companies, and provide a mode for ascertaining the 'fair deduction' mentioned in the decision of the Supreme Court to which the government is entitled."

Respectfully submitted.

GEO. W. McCRARY,
Secretary of War.

The SPEAKER *of the House of Representatives.*

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 21.

MILITARY ROADS IN ARIZONA.

LETTER

FROM

THE SECRETARY OF WAR,

IN RELATION TO

Certain military roads in Arizona.

DECEMBER 10, 1877.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,
Washington City, December 7, 1877.

The Secretary of War has the honor to acknowledge the receipt of a letter of the 19th ultimo from Hon. A. G. McCook, of the Committee on Military Affairs, inclosing House bill 794, "To provide for the construction and repairs of military roads in the Territory of Arizona," and in reply to inform the House of Representatives, for the information of the Committee on Military Affairs, that the annual report of Lieut. E. D. Thomas, Fifth Cavalry, acting engineer officer Department of Arizona, gives full information on this subject, with estimate of funds required for repairs and improvements.

His report will appear in the annual report of the Chief of Engineers, and is also published with a map in the annual report of the commanding general Department of Arizona for 1877.

Respectfully submitted.

GEO. W. McCRARY,
Secretary of War.

The SPEAKER *of the House of Representatives.*

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 22.

IMPROVEMENT OF THE MISSISSIPPI, MISSOURI, AND ARKANSAS RIVERS.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Report of Chief of Engineers upon the necessity for the improvement of the Mississippi, Missouri, and Arkansas Rivers.

DECEMBER 10, 1877.—Referred to the Committee on Commerce and ordered to be printed.

WAR DEPARTMENT,
Washington City, December 10, 1877.

The Secretary of War has the honor to transmit to the House of Representatives, for the information of the Committee on Commerce, a communication from the Chief of Engineers, dated the 8th instant, calling attention to the necessity for a further appropriation for the improvement of the Mississippi, Missouri, and Arkansas Rivers for the current fiscal year.

It will be seen from the report of the Chief of Engineers that after the 25th of January next there will be no funds left for the protection and care of the property belonging to the United States, valued at half a million of dollars; the necessity for early action is therefore apparent.

Respectfully submitted.

GEO. W. McCRARY,
Secretary of War.

The SPEAKER *of the House of Representatives.*

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., December 8, 1877.

SIR: I beg leave to invite attention to the existing condition of the work for the improvement of the Mississippi, Missouri, and Arkansas Rivers, for which an appropriation of $100,000 was made by the river and harbor act of August 14, 1876. Of this sum $10,000 was required by the act to be expended for removing the bar at Fort Smith, Ark., and $40,000 on the Missouri River, including improvements opposite Saint Joseph, Mo., and at Nebraska City, leaving $50,000 to be applied to removing snags from the Mississippi River, which has been expended.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 24.

FORESTRY.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A special report upon the subject of forestry by the Commissioner of Agriculture.

DECEMBER 14, 1877.—Referred to the Committee on Agriculture and ordered to be printed.

To the House of Representatives:

I transmit herewith a special report upon the subject of forestry by the Commissioner of Agriculture, with the accompanying documents.

R. B. HAYES.

EXECUTIVE MANSION,
December 13, 1877.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., December 13, 1877.

SIR: By the provisions of "An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending June 30, 1877, and for other purposes," approved August 15, 1876, the Commissioner of Agriculture was required to appoint some man of approved attainments, and practically well acquainted with the methods of statistical inquiry, with a view of ascertaining the annual amount of consumption, importation, and exportation of timber and other forest-products; the probable supply for future wants; the means best adapted to the preservation and renewal of forests; the influence of forests upon climate; and the measures that have been successfully applied in various countries for the preservation and restoration or planting of forests; and to report upon the same to the Commissioner of Agriculture, to be by him transmitted in a special report to Congress.

On the 30th of August, 1876, Hon. Frederick Watts, then Commissioner of Agriculture, appointed Dr. Franklin B. Hough, of Lowville, Lewis County, New York, to the discharge of this important duty.

Dr. Hough seems to have diligently prosecuted his investigations and inquiries, not only throughout the United States, but also in foreign

lands, entering into a correspondence with officers of foreign governments connected with the forest management and forestry schools which abound in Europe, where the vital importance of this great interest is well understood, and where for long years an intelligent and settled policy has prevailed, looking to the increase of the woods, the equal and seasonable distribution of the rain-fall, the maintenance of forests upon the higher lands, and the consequent preservation of the regular supply of water to the springs, rivulets, and rivers, and the prevention of the terrible floods which wash bare the unclothed mountain slopes, and by sudden overflows destroy the agriculture and the manufactures of the valleys.

While the information Dr. Hough has acquired from these sources has been extensive and in some cases exhaustive, and while from the European modes much may be learned of the differences that exist between our country and foreign countries in the ownership of lands, in the impracticability of applying for the present, if ever, the systems of administration that prevail elsewhere, the difference in climate and in the native trees suitable for forest culture, yet there is a very large amount of information collected in the report which is not more valuable for practical use than it is for suggestive thought.

The forest codes of Europe have for us much that is interesting and instructive, in so far as they show to what extent the public welfare may justify governments in imposing restraints upon the enjoyment of forest property held by private owners, and in so far as they illustrate the application of those fundamental principles which may justify a government in the exercise of its right of eminent domain. If our general and State governments cannot own and rear up forest plantations, as is done in Europe, where governments, communes, and public institutions own large tracts of land, they have a duty no less important in doing what cannot be done by individuals, in the collection of facts, and in the wide diffusion of information which may prompt the self-interest of our citizens to do that personally which cannot well be done by government in the settled States of the Union under our present system of widely distributed power.

The question of timber-culture and timber-preservation upon the great plains and upon lands yet in possession and ownership of the general government is a problem of a different character, and one of the most interesting that can occupy the attention of statesmen. Successful forestry, in its very nature, necessitates an entire change in our careless methods and shifting, changeful habits, and compels us to do whatever is done thoroughly well, and to persevere in the well-doing; to select men fitted by nature for the occupation of foresters, and to secure them a life-estate or a good-behavior estate in these occupations, is the lesson taught by our European contemporaries.

The growth of trees fit for civil and naval architecture is a work of generations, and, while not difficult under ordinary circumstances, requires a steadiness and constancy of purpose, application, and culture which has not as yet received any prominent illustration in our unsteady politics and legislation.

The author of this report has compiled, with wonderful industry and apparent accuracy, statistics of the most valuable character, embracing statements of the exportation of every class of forest-products from each part of the United States to each foreign country from the organization of our government to the present time, and has summarized these tables by coasts and grand divisions, and in this particular the report may be regarded as entirely exhaustive.

Other statistical tables of great interest, from the nature of the subjects, and also from the want of time, are incomplete but valuable.

The report is also accompanied with illustrations of various kinds, and especially such as apply to the graphic method of presenting statistical facts and scientific comparisons when numerically expressed. Besides the chapters which deal with statistical and strictly scientific facts, the author has a wealth of matter, historical and instructive, which will be of interest not only to every agriculturist and land-owner, but also to every thoughtful person whose views of life and its duties are not bounded by the narrow limits of his own existence, or whose national pride and patriotism hope for a prosperous future for his country.

In conformity with the law above recited, I herewith transmit the report, and respectfully recommend that it be printed from stereotype-plates, and in two parts—the more strictly scientific and tabular portion in one part, and that which is of common and universal interest in the other. By this method editions of the work may be ordered from time to time, according to the demand, and as those persons desiring the tabular and scientific part will be fewer in number than those wishing for the more discussive and more generally interesting part, a large saving of money may thus be made.

I also respectfully recommend the appropriation of $8,000, or so much thereof as may be necessary during the next year, to prosecute these inquiries into the subject of forestry—$6,000 of which to enable Dr. Hough to continue the work he has so well begun, and for which he has so much really valuable matter in hand ready to be arranged, as well as to enable him to make personal inspection of European forests, if advisable.

I respectfully submit the above to the Executive, for transmission to Congress, in compliance with the terms of the act constituting the Commission on Forestry.

Very respectfully, your obedient servant,

WM. G. LE DUC,
Commissioner of Agriculture.

To the PRESIDENT.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 25.

INVESTIGATION OF THE CUSTOMS SERVICE.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

Papers relative to the investigation of the customs service.

DECEMBER 14, 1877.—Referred to the Committee of Ways and Means.
JANUARY 11, 1878.—Recommitted to the Committee of Ways and Means and ordered to be printed.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., December 12, 1877.

SIR: I have the honor to call the special attention of Congress to the statement made in the annual report of this department, submitted on the 3d instant, that, in compliance with the fourth section of the act approved August 15, 1876, and by direction of the President, commissions have been organized since the 4th of March last to investigate generally the manner in which customs business has been conducted at many of the principal ports. Commissions of this character were organized at New York, Philadelphia, San Francisco, and New Orleans, composed in each instance of one officer of the government and two private citizens. The reports of such commissions are herewith submitted for the information of Congress. Some of the recommendations therein made have been carried into effect, and action upon other recommendations will be taken at an early day, so far as the same may be found practicable under existing laws.

Copies of the instructions carrying out such recommendations are herewith submitted, with the exception of those by which the reduction in the force was authorized.

A very considerable reduction in the cost of collecting the revenue from customs has been made in pursuance of these recommendations.

The recommendations of these commissions in regard to changes in existing laws are submitted for the consideration of Congress.

No action has yet been taken upon the fourth, fifth, and sixth reports of the New York commission, except the instructions issued under the fourth report in regard to sampling and marking sugar.

Mr. C. A. Arthur, collector at the port of New York, addressed the department, under date of the 25th ultimo, replying to statements and

recommendations made by the New York investigating committee in the first three reports. A copy of his letter is herewith transmitted.

Very respectfully,

JOHN SHERMAN,
Secretary.

Hon. SAMUEL J. RANDALL,
Speaker of the House of House of Representatives.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., September 15, 1877.

IN THE MATTER OF THE DRAWBACK ON SUGAR.

Section 3019, Revised Statutes, directs that "there shall be allowed on all articles wholly manufactured of materials imported, on which duties have been paid, when exported, a drawback equal in amount to the duty paid on such materials, and no more, to be ascertained under such regulations as shall be prescribed by the Secretary of the Treasury."

The ascertainment of the proper rates of drawback on sugar has been exceedingly difficult from the changes made in the description of sugars imported, the rates of duty imposed by law, and the new inventions in machinery used in the process of refining sugar. These have made it necessary to change the regulation for the drawback on sugar from time to time.

I am entirely satisfied, by careful examination of the subject, especially of the reports made by commissions recently held in New York, Boston, and Baltimore, that the rates of drawback fixed by the regulations of December 17, 1875, are too high and amount to more than the duty paid by importers on the raw sugar used in the manufacture of refined sugar, and now amount to a bounty, and an actual loss to the government of a very large sum.

The chief difficulty grows out of the classification of sugars by the Dutch standard, which fixes color rather than value as the only element in determining the rate of duty, while in fact sugars of a darker color are often more valuable than those of a lighter color. This makes it the interest of the producer either to give a darker color to sugar in the process of manufacture or to artificially color the sugar after manufacture, with a view to obtain lower rates of duty. If the drawback, then, is fixed at so much per pound, the interest of the refiners is to use the lowest possible grade which will give the required yield of refined sugar, and thus receive back from the government a greater sum than has been paid on the importation of the raw sugar. This difficulty cannot be obviated except by a change of the law, and all that the department can do is to ascertain from time to time as nearly as practicable the actual duty paid on the raw sugar and to fix the drawback at no more and no less than this sum. In the exercise of this duty I am satisfied that the following rates of drawback will, as nearly as any general rule will allow, refund the duties paid upon the raw sugar used, to wit:

On loaf, cut loaf, crushed, granulated, and powdered refined sugar, stove-dried or dried by other equally effective process, entirely the product of foreign duty-paid sugar, 3.18 cents per pound.

On refined white coffee sugar undried and above No. 20 Dutch standard in color, entirely the product of foreign duty-paid sugar, 2.58 cents per pound.

On all grades of refined coffee sugar, No. 20 Dutch standard and below in color, entirely the product of foreign duty-paid sugar, 2.08 cents per pound.

On sirup, resulting entirely from the refining of foreign duty-paid sugar, 6¼ cents per gallon.

The allowances on sugars to be subject to the deduction of 1 per cent. and the allowances on sirup to the deduction of 10 per cent., as prescribed by law.

The rates of drawback herein prescribed will take effect on and after October 1, 1877.

JOHN SHERMAN,
Secretary.

[Circular.]

Sampling and weighing of sugar.

TREASURY DEPARTMENT,
Washington, D. C., November 16, 1877.

To collectors and other officers of the customs:

Section 2915 of the Revised Statutes provides as follows:

The Secretary of the Treasury shall, by regulation, prescribe and require that samples from packages of sugar shall be taken by the proper officers in such manner as to ascertain the true quality of such sugar; and the weights of sugar imported in casks or boxes shall be marked distinctly by the custom-house weigher, by scoring the figures indelibly on such package.

Under this provision of law, it is directed that at least 10 per centum of each importation of sugar shall be sampled, except when it is imported in mats or bags, when, if deemed proper, a less quantity can be sampled.

The sampling shall, as far as practicable, be done under the personal supervision of an examiner, who shall himself draw some samples from each cargo, and shall be held responsible by the appraiser for the strict and impartial enforcement of these regulations.

When the samples representing the sugars of an invoice or entry are thus obtained, so as to represent a true average of the contents of the particular package, each shall be carefully compared with the Dutch standards to test the color for classification. Those of the same grade under the law shall be classed together, and all packages contained in an invoice or entry shall be classified in color and rate of duty in that proportion which the sample packages, as examined and tested, represent.

Sugars shall always be regarded as "above" the test standard with which they are being compared when they are *lighter in color*, even though they do not reach the next grade or standard above that which establishes the rate of duty.

At ports where a number of samplers are employed no one sampler shall be continued at any particular wharf or dock, or be engaged upon the cargoes of any one firm, longer than two weeks, but each sampler shall complete the sampling of any cargo upon which he may then be engaged before being transferred.

Samples of sugar shall be examined and passed upon by two experts in the appraiser's office, and in case of disagreement between them as to the degree of color of such sugar according to the Dutch standard,

the appraiser or some other officer designated by him shall decide between them.

Samples of each cargo of sugar imported on and after the 1st day of December, 1877, shall be carefully preserved in glass bottles, labeled with the name of the importer, date of importation, whence imported, name of vessel, classification, and names of sampler and examiner. The bottles containing such samples shall be sent by the appraiser to the collector at the time the invoice is returned, and shall be publicly exhibited at the custom-house for at least one week thereafter.

The weights of sugars imported in casks or boxes shall be marked distinctly as soon as the same are weighed by the United States weigher, branding on the head of the cask, or the corner of the box, the gross weight, tare, and net weight of the package. The branding will be done by means of hot iron or copper figures.

Section 2882 of the Revised Statutes provides that imported sugars which may be removed from the wharf without the consent of the proper officer, and before the quality has been ascertained and marked, shall be forfeited, and may be seized by any officer of the customs or inspection.

In pursuance of the authority therein contained, it is directed that sugars shall not be removed from the dock without the written consent of the collector for such delivery, which consent shall not be given until the return of the weigher and appraiser shall have been made to the collector.

Sugars removed from the wharf before such written consent shall be seized, and proceedings taken for forfeiture as required by the section of law named.

In order that undue delay in the delivery of sugars may not occur, the weighing and appraising officers will be required to make prompt return to the collector on invoices of sugars weighed, sampled, and classified by them.

If any doubt arises as to the correctness of the weight of any cargo of sugar, as shown by the weigher's return, the collector or surveyor will, whenever practicable, order the same to be reweighed.

JOHN SHERMAN,
Secretary.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., December 3, 1877.

COLLECTOR OF CUSTOMS, *New York:*

SIR: Referring to your report of the 28th ultimo, in regard to the instructions contained in the circular of the 16th ultimo, relative to the "sampling and weighing of sugar," I have to state that the blanks transmitted in your letter will be printed and furnished you at as early a day as possible.

In view of the labor and time which will be necessary to prepare a room where the samples are to be placed, I think that a compliance with that part of the circular may properly be delayed until, say, the first of January, so far as your port is concerned. You will please report the probable expense of fitting up a room for the exhibition of samples.

The matter of additional clerks which you state is rendered necessary will be considered in due time.

The department agrees with you in the suggestion that sugars going into general-order store are not to be embraced within the terms of the

order which provides that sugars shall not be removed from the dock before the returns of the appraiser and weigher shall have been received.

The circular of November 16 provides that the gross weight, tare, and net weight of the packages of sugar shall be branded by means of hot iron or copper figures.

Article 385 of the regulations for the government of officers of the customs under the superintendence and direction of the surveyor of the port, issued by the department under date of the 20th of March last, provides that the weights of sugars imported in casks or boxes shall be marked distinctly by the custom-house weigher by *searing* the figures indelibly on each package by cutting with a searing-iron, on the head of the cask or cover of the box, the gross weight of the package.

This article of the regulations is substituted for that paragraph in the circular which directs the manner in which the weights shall be seared.

Very respectfully,

JOHN SHERMAN,
Secretary.

Regulations governing the discharge of steamships at night and the compensation of inspectors therefor.

TREASURY DEPARTMENT,
Washington, D. C., May 5, 1877.

1. Upon the entry of a steamship from a foreign port, a general order may be issued by the collector for the discharge of the cargo on the dock, under the supervision of one or more inspectors, except goods which go into warehouse of class 4. To continue the discharge of the cargo after sunset, a special license must be obtained in accordance with the provisions of section 2871 of the Revised Statutes.

2. Goods will be delivered from the docks by the inspector as fast as permits therefor are presented, and such as are discharged for which no delivery permit has been received will be sent to the general-order store. The collector may, at the request of the master, agent, or owner of the vessel, allow goods landed, but not "permitted," to remain on the docks, at the sole risk of the owner of the vessel, not longer than forty-eight hours from the time of their discharge, upon the production of evidence that the owner of the vessel assumes the risk of the goods allowed to remain, and agrees to pay the duties on any goods which may be lost by so remaining. This request must be made in writing to the collector, and must state that, if the permission is granted, the goods will be at the risk of the owner of the vessel; that he will pay all duties on goods which may be lost, and must be signed by the owner of the vessel or his agent duly authorized. The consent of the collector thereto must also be granted in writing. At the expiration of the forty-eight hours, no permit for their delivery having been received by the inspector, the collector shall send the goods to the general-order store, and have the same weighed or gauged, if required.

3. Inspectors assigned to the discharge of steamships will be allowed extra compensation for services rendered by them after sunset and before sunrise only when night permits to discharge have been obtained. The amount of such extra compensation shall be fixed by the collector at a rate not exceeding ten dollars for each night's service of an inspector, and such compensation shall be paid to the collector of customs by the master, owner, or agent of such steamship at the time of granting the permit to discharge at night. Payments to inspectors for extra

services will be made by the collector only at the end of the month, and will be included as a separate item in the inspector's regular voucher for services.

The collector's account of disbursements on account of expenses for collecting the revenue from customs will be accompanied by a separate abstract, showing the amount received from each vessel for extra services of officers, which amount will be credited to the United States in said account and deposited in the Treasury.

4. Any inspector or other officer of the customs who shall receive any extra compensation, except as allowed by law and in the manner herein prescribed, or who shall receive any gratuity or reward whatever, directly or indirectly, from an importer, or from the master, agent, or owner of any vessel, will be summarily dismissed from the customs service; and the name of such inspector or other officer of the customs, together with the name of the importer, the master, owner, or agent of such vessel making such payment, shall be reported by the collector to the district attorney for prosecution under the provisions of sections 5451, 5452, and 5501 of the Revised Statutes.

JOHN SHERMAN,
Secretary.

TREASURY DEPARTMENT, *May* 29, 1877.

COLLECTOR OF CUSTOMS, *New York:*

SIR: Your letter of the 23d instant is received, in which you request instructions in regard to the time from which the forty-eight hours mentioned in the department's circular of the 5th instant, concerning the discharge of steamships at night shall commence to run.

The circular states that the collector may, at the request of the master, agent, or owner of the vessel, allow goods landed, but not permitted to remain on the docks at the sole risk of the owner of the vessel, not longer than forty-eight hours from the time of their discharge.

You will regard this forty-eight hours as beginning to run from the time the vessel actually completes her discharge of cargo, and the time of such discharge will be indorsed by the inspector superintending the same upon the general order permit.

Respectfully,

JOHN SHERMAN,
Secretary.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., June 27, 1877.

COLLECTOR OF CUSTOMS, *New York:*

SIR: Your letter of the 18th instant, is received, making further report upon the subject of the proper time during which goods discharged from steamships should be allowed to remain on the dock when no permit therefore is presented, before being sent to general-order store.

In regard thereto you are informed that a true construction of the circular and the supplemental instruction of the 29th ultimo is, that, under the discretion therein given you may prescribe as the maximum time during which you will allow such goods to remain on the dock forty-eight hours from the final discharge of the vessel or any shorter time that in your judgment may seem proper. No further instructions in the matter are deemed necessary.

I will cause the blank for application to allow unpermitted cargo of steamers to remain upon the wharf, to be amended in the manner suggested in your letter.

Very respectfully,

JOHN SHERMAN,
Secretary.

CUSTOM-HOUSE, NEW YORK CITY,
Collector's Office, November 23, 1877.

SIR: I deem it best to avail myself of the suggestion made at our last interview, that I should submit in writing the views which I then expressed as to the reports of the commission on the New York custom-house.

In your original letter you proposed that one member of the commission should be selected by yourself, one by the chief officers of customs at this port, and one in behalf of the merchants. In accordance with your request the appointment of General John A. Dix was suggested by the officers, but when he declined, all the members of the commission were selected by the department. Though in your letter of appointment of April 14, 1877, you say that "it seems to me proper such examination should be made by the aid of a committee which shall represent the merchants, the officers of the port, and this department," there can be no pretense that in the commission as finally constituted, any one represented the officers of the port, or was even unbiased as to the subject of investigation.

The commission thus constituted sought for all that could be said against the officers of customs, giving no opportunity for cross-examination and little for rebuttal or explanation, and, of course, took a partial and one-sided view. They did not pretend to investigate thoroughly any question, or to seek for evidence on both sides. Not only by public advertisement, but by hundreds of letters, they invited merchants supposed to be aggrieved, to present their complaints. A reference of the testimony will show, however, that the prominent and honorable merchants of this port made no complaints againsts the administration of the laws during the last five years. The members of the commission manifested their disappointment at this, and it apparently did not occur to them that the real explanation was, that those whose opinions were entitled to any weight had no complaint to make, but were, on the contrary, anxious, if given an opportunity, to bear testimony in favor of the manner in which the duties of the officers were performed.

The commission either refused to receive testimony in answer to such complaints as were in fact made to them, or when it was forced upon them, wholly disregarded it. Moreover, it did not seem to occur to them that while they were in effect sitting in judgment upon those who for a few years past have administered the customs service at this port justice required that they should bear witness to the improvements that had been introduced; improvements which have rendered the service more efficient, more honest, and more economical than at any previous period in the history of the government.

One prominent merchant made a complaint, which was found on inquiry to be based solely on the fact that the collector had obeyed the law and your orders. The same gentleman had previously, before the chamber of commerce and elsewhere, denounced the customs officers and the laws as inflicting upon him a great injury, when the fact was that the appraiser had reported that he had largely undervalued goods

imported by him, that the merchant had availed himself of the right given under the laws to demand a reappraisement, and that the collector appointed a prominent merchant to sit with the general appraiser and hear the appeal as the statute required. The merchant decided against the importer, while the general appraiser decided in his favor. Under the law the matter came to the collector for final decision, and he gave to the importer the benefit of the doubt, and decided in his favor. And yet, for years this case has been proclaimed as an instance of gross outrage, committed by the officers of the government.

Even taking the testimony as the commission present it, without explanations from those attacked, without opportunity being given to cross-examine the witnesses, or to show the spirit which animated them, I am confident that, if you will find time amid your manifold occupations to examine it, you will come to the conclusion that it wholly fails to bear out the sweeping and general allegations of the commission. I trust that, if the report shall be submitted to Congress, the testimony may accompany them.

It was more prudent than fair in the commission to insinuate charges of the truth of which they had no testimony, rather than to make them in direct terms. The phrases, "The complaints are rife," "It is suggested that," "This contract has occasioned the suggestion that," "The opinion was expressed," &c., with which they introduce many of their charges, are, it seems to me, in effect but amplifications of the ordinary phrase "They say," and properly entitled to about as much weight.

The subject of the several reports of the commission are briefly as follows:

The first report relates to what is known as civil-service reform and political appointments.

The second report relates generally to the character and compensation of the subordinate officers of the customs at this port.

The third report relates to the weighers and gaugers.

The fourth report relates chiefly to the appraisers' department.

The subject of civil-service reform and the modes of appointment to office is that to which the commission gives the most attention.

The essential elements of a civil service, I understand to be, first, permanence in office, which, of course, prevents removals except for cause; second, promotion from the lower to higher grades, based upon good conduct and efficiency; third, prompt and thorough investigation of all complaints and prompt punishment of all misconduct.

In the face of the misstatements of the commission, and in spite of persistent misrepresentations, I claim that the administration of my office has been characterized by the observance of all of these. In this respect I challenge comparison with any department of the government, and maintain that civil-service reform has been more faithfully observed and more thoroughly carried out in the New York custom-house than in any other branch or department of the government, either under the present or any past national administration. I am prepared to demonstrate the truth of this statement on any fair investigation.

Let me briefly call your attention to a few facts:

I.—AS TO PERMANENCE IN OFFICE.

The statement hereto annexed, and marked A, was submitted to the commission. They made only a passing reference to it in the text of their report, without calling attention in detail to the facts which it contained, which facts would alone have disproved many of their state-

ments. It is true that they inserted it as an appendix, but they must have known that while their report would be spread broadcast over the country the appendix would be accessible to very few.

This statement gives the names and dates of appointment of all employés who were appointed prior to December 1, 1871, when I took office, and who remained in office on May 1, 1877. It shows that of 923 persons who held office on December 1, 1871, 531 were still in office on May 1, 1877, having therefore been retained during my entire term of now nearly six years. Their terms of office have varied from forty-eight years to six years. This leaves 392 who have during the six years gone out of office, either because they have died, resigned, or been removed for cause. In other words, an average of only 65 have died, resigned, or been removed in each year. Of the 392 original appointments made in their places 175 were made during the time that the civil-service rules were in force, and were made in strict conformity with those rules.

The yearly percentage of removals for all causes in the six years, as appears by Table B, annexed, has been only $2\frac{3}{4}$ per cent., against an annual average of 28 per cent. under my three immediate predecessors, and an annual average of about 24 per cent. since 1857, when Collector Schell took office.

Am I not right in saying that one at least of the essential elements of a correct civil-service system has been attained? Can the Treasury, or any other department at Washington, show as good a record? In your letter of May 28, 1877, you state that you observe that there are "an exceptionally large proportion of experienced officers still in the service." Yet the commission carefully avoid stating these facts, only saying that "correct principles of governmental management have been illustrated to some extent in * * an improvement in the terms of service." Fairness is certainly not "illustrated" to any extent, save by its absence, in the statement of the commission.

The commission remark upon the fact that men are appointed who are not personally known to the officers who appoint them, though they somewhat inconsistently object that the weighers employ men whom they do know. The fact is, that original appointments are made precisely as in all other public offices; that is, upon the recommendation of persons who are known. If your own or any other department proceeds upon any other system, I have failed to hear of it. Unfit men may, of course, in this way procure appointments, but they are soon eliminated.

II.—PROMOTION.

The uncontradicted testimony before the commission showed that it has been the uniform system to promote from the lower to the higher grades, making the new appointments to the lowest grades, and that the promotions have been made, almost without exception, on the recommendation of the heads of the bureaus. The few seeming exceptions to this rule were for good reasons, from regard to the efficiency of the service.

In support of this statement I submitted to the commission the table hereto annexed, marked B; and, when they mislaid their copy, I furnished them successively with a second and a third copy. This statement shows that all the deputies and clerks under the collector receiving salaries of $2,000 or more per annum—and therefore, of course, embracing all those performing "high, responsible, or difficult duties," and those "requiring often the skill and experience of experts"—had risen to their present positions from the lowest ranks by direct and gradual

promotion made on the recommendation of the heads of bureaus, and based on the ground of capacity and efficiency. It furthermore shows that most of such promotions were made by a collector other than the one who made the original appointment, and that the only exceptions to the rule of promotion were, the deputy collector in charge of the legal department, necessarily a lawyer, and the stenographer—to neither of whom could the rule of promotion be applied—and one amendment clerk, appointed to that position for his special training and peculiar experience in business life.

Yet the commission, while suppressing the record so carefully brought to their notice, do not hesitate to say that "under the existing system the incumbents of office in the customs-service, however high, responsible, or difficult may be the duties, requiring often the skill and experience of experts, are appointed generally at the request of politicians and political associations in this and other States, with little or no examination into the fitness of the appointees beyond the recommendation of their frends." Did honorable men ever lend their names to a grosser misstatement?

III.—REMOVALS.

The evidence before the commission showed that all complaints of inefficiency or misconduct were promptly examined, and that when ascertained to be well founded the persons complained of were punished or removed, as the nature of the offense seemed to require. As a necessary result of the system of making the new appointments to the lowest grades, the complaints are mostly against those of such grade, and by the consequent removals there results an official "survival of the fittest." Yet the commission quote the testimony of myself and the surveyor as to the complaints, but remember to forget to add my further statement that all such complaints were investigated and acted upon.

In connection with the question of removals it is proper to observe that the commission refer more than once to the allegation that officers of the customs receive illegal fees, and they complain that the law upon the subject is not enforced. If the commission obtained any evidence of the violation of the law in this respect, I regret that they did not communicate it to me. I think, however, I cannot be mistaken in saying that they obtained no such evidence, though there is a general opinion that such a practice prevails, under conditions, however, which cause no pecuniary loss to the government. The truth is that, save under very exceptional circumstances, such evidence is not to be obtained. The transaction is one between two persons, the one who gives and the one who receives, both equally guilty, both exempt from testifying, and neither likely to volunteer testimony. It is like the alleged system of legislative corruption. We hear a great deal about corruption in Congress and in the State legislatures, and the public seem to be impressed with the conviction that the stories are true, yet it is notoriously almost impossible to obtain any proof of such a transaction. Even when one party to it proclaims it, the public and the courts are agreed that it is unsafe to rely upon his unsupported testimony.

The commission make various recommendations, as to which I may say, that those which are not repetitions of recommendations long since made by me, are chiefly unwise or impracticable, while one of them is in direct violation of law. Let me briefly refer to them in detail:

1. They advise a reduction of 20 per cent. in the force. I had myself arranged with your predecessor that before July of the present year there should be made a reduction of about 12 per cent., which was the extent to which I believed, even in dull times, retrenchment could go

without injuring the efficiency of the system and causing delays to the mercantile community.

The result of the reduction in excess of this percentage, made on the advice of the commission, has been that, in some branches at least, most injurious delays have been caused, while business has accumulated in others beyond the ability of the force to dispose of. Within a few weeks the delays caused to merchants in a single day, by the insufficient force of entry clerks, must have cost them thousands of dollars, though, to relieve the pressure to some extent I temporarily took clerks from other duties where they were needed, and detailed them to perform the duties of entry clerks. I have been informed that those affected by this delay have made representations to you upon this subject.

It is my deliberate opinion that at this time in many of the departments of the custom-house the force is not large enough to conform to the real interests of the government and the merchants.

2. The commission recommended the extension of hours of labor from 9 o'clock to 4 o'clock instead of from 10 to 3. The result has been that between 9 and 10 the clerks whose duties bring them immediately in connection with the merchants have, save in exceptional cases, almost nothing to do, while the pressure which formerly existed between 2 o'clock and 3 has been transferred to the hour between 3 and 4.

3. The commission recommended a change of practice with reference to the unloading of steamships, and by your direction it has been introduced. It concerned a matter which those of the most experience in the customs service handle with the greatest care on account of the manifold difficulties which surround it, but which the commission disposed of in a morning hour. The system introduced destroys many of the safeguards previously thrown about the discharging of vessels. While, as I am advised, it relieves the collector and his bondsmen from all liability for the goods left to accumulate upon the docks, the steamship companies still claim that they would not be liable in case the goods are destroyed by fire or otherwise. If this be so, the government may be rendered liable for large sums. In practice it comes to this: that the steamship companies incumber the docks with their goods so long as the vessel is discharging, and, in order to say that the discharge is not complete, retain a single package on board as long as suits their convenience, and then, to cover this period, obtain a permit for goods to remain on the dock until half an hour after the discharge is completed, at the expiration of which time they find fault with the importers if they do not remove their goods. In my opinion, this system is a direct violation of the law, and at our last interview I understood you to so far accede to this view as to say that it should be essentially modified, if not abolished.

4. The commission advise that the practice of sending one package in ten for examination be frequently varied by sending one in a smaller number, or by a scrutiny of all cases where the importers or their agents have subjected themselves to suspicion. If they had the pains to inquire, they would have learned that this is, and has been for some years, the system pursued. Indeed, the following order, issued on May 26, 1875, shows that in one respect the practice has gone further than they suggest:

Order.

CUSTOM-HOUSE, NEW YORK, *Collector's Office, May* 26, 1875.

To the Deputy Collectors:

In the entry of staple merchandise by firms or persons not well known as importers of goods for the United States market, you will in each and every such case order *all* goods offered for entry to the United States public store for examination.

To the Cashier:

You will, from time to time, report to the collector in writing the names exhibited by your cash-sheet of persons who are not well-known importers of merchandise for the market.

C. A. ARTHUR, *Collector.*

In this connection I may add that the commission utterly failed to understand the existing system as to ordering goods for examination, and have hence been led into a ludicrous error. Referring to the fact that importers cannot know until after the arrival of the vessel which deputy collector will have the designation of the particular package or packages in an invoice to be subjected to examination, they say:

It is suggested that collusion is still easy between custom-house brokers, representing the owners and acting and swearing on their behalf, and officers of the customs-service; that a sign or mark, invisible to others, may silently instruct the officer who is to designate the package for examination, and that where the rest of the invoice is immediately delivered to the importer frauds may still be accomplished with small probability of detection. (Fourth report, p. 4.)

The commission should have known that the sufficiency of the system does not rest upon the presence or absence of any mark, secret or revealed, but upon the fact that, until after the goods are in port, no person can know which one of the six or eight deputy collectors will be authorized to make the designation for examination, and that no one would be so foolish as to import goods with one particular case in every ten previously prepared for examination, relying upon the chance that the designation might happen to fall to the one deputy collector whom he might have corrupted. Either all the deputy collectors must be corrupt or this species of fraud will not be attempted. This misapprehension of the commission illustrates the value of their intimations that something is "suggested."

5. The commission recommend the exclusion from the custom-house of clerks and brokers who violate the law as to paying fees. The commission could easily have learned that for several years this exclusion has been enforced, not only against clerks and brokers who violate this law, but against those who, in their dealings with the government, are guilty of any improper or irregular conduct whatever.

6. The commission recommends the erection of a baggage-shed, and a change in the system of examining baggage. The files of the department bear me witness that I have repeatedly urged the same thing, and procured detailed estimates of the cost showing that the amount would probably be saved in a single year, and even procured legislation authorizing the sale for that purpose of a portion of the battery adjoining the government dock. A full report urging this change was forwarded by me on December 14, 1871, within fifteen days after I took office, as the files of your department will show.

7. The commission want a better system of cording and sealing. Your office contains more than one communication approved by me urging the same thing. I need only refer to my letter of November 12, 1875, and several subsequent letters.

8. The commission advise that the consuls abroad be urged to a stricter compliance with the law as to imported goods. In this they only repeat my own urgent recommendations made to your predecessor.

9. The commission complain of the alleged frauds in damage allowance. The system is so open to abuse that I long ago urged its abolition. The recommendation of the commission that damage be ascertained "before the goods pass out of the hands of the government," would indirectly accomplish this result, for if packages are to be broken

open and damage ascertained before the merchant gets his goods, so little existing damage would be ascertained, and so much injury would be caused, that the merchants would be glad to abandon all claims. The proposed system is so impracticable that its only effect would be to cause annoyance and irritation.

10. The commission enlarge at considerable length upon the defects connected with the sampling of sugars, and point out how that duty is left to employés "whose pay is trifling," and "over whom there seems to be but little oversight." This is a matter which belongs to the appraiser's department and is not directly under the collector; and yet, I not only repeatedly called the attention of the department to this matter, but in connection with the former appraiser, Mr. French, who had himself been an importer of sugar, in October, 1876, I visited Washington, and with great difficulty, after urgent representations to your predecessor in person, procured authority to increase the force of samplers, and to appoint a superintendent to exercise a special "oversight" over them. The changes thus authorized had hardly been made when we learned that one of that kind of special agents who at once supervise and distrust every one but themselves was prepared to enter upon an investigation, with the avowed intent of showing the extravagance and corruption of the system which the Secretary had, on our recommendation, just sanctioned.

11. The commission recommend that "samples of sugar, sampled on the wharf, should be arranged and exhibited in the custom-house," &c. I have, during the last four years, urged this system upon your predecessors, on many occasions, and particularly in conjunction with Mr. Solon Humphreys, of E. D. Morgan & Co., who represented the sugar importers.

12. The commission at the beginning of their second report refer to a special report on the system of drawbacks on sugar, which is however not, so far as I know, printed. The defects in that system were long ago pointed out by me to the department. (See my letter of September 30, 1875.)

13. The commission suggest that a uniform should be adopted for some, at least, of the officers of customs. In this they only repeat my own previous recommendation.

14. The second report contains a recommendation for the classification of officers' salaries. Under your direction I have made such a classification, which was forwarded to you on October 11, 1877.

15. The third report of the commission relates to the weighers and gaugers, with reference to which I transmit herewith a letter addressed to me by the weighers. They write with perhaps justifiable earnestness. I am confident that the commission wholly failed to appreciate the amount of work actually performed in that department, and have, by their general assertions, done great injustice to individuals. There may be unfit men in that department as well as in others, and the system may be in some respects defective, but complaints against the weighers reach me very rarely, and are always carefully investigated through the surveyor's department, where the immediate supervision isby law placed. A very large number of the largest importers have expressed their satisfaction with the manner in which their duties are performed. The number of weighers is probably greater than is necessary for the performance of their duties during the present period of diminished business. It was my intention to include them in the reduction of the force which, as already stated, I had arranged with your predecessor to make. They were, with the concurrence of yourself and the commission, omitted from

the reduction recently made, pending your action upon the special recommendations made as to them. The system suggested by the commission will be found, in my opinion, neither adequate nor economical.

In this connection it is proper to add that I requested the commission to furnish me any evidence they should obtain of misconduct on the part of any subordinate, but they wholly failed to communicate any evidence. I can hardly believe that they would make the broad assertions they make without some specific proofs, but it is equally difficult for me to understand how, if they had such proofs, they found it consistent with their ideas of duty and justice to withhold them from me.

I have now referred in detail to all the recommendations of the commission, so far as they relate to the custom-house. To sum them up, they are fifteen in number, viz: 1, reduction of force; 2, extension of hours of labor; 3, unloading steamships; 4, examining more than one package in every ten; 5, exclusion from the custom-house of persons behaving improperly; 6, examining baggage; 7, sealing and cording; 8, consuls' invoices; 9, damage allowances; 10, sampling of sugars; 11, exhibition of sugar-samples; 12, drawbacks on sugar; 13, uniforming of officers; 14, classification of officers; 15, changes as to weighers and gaugers. Of these the 4th and 5th are in accordance with the practice which has long prevailed. The 6th, 7th, 8th, 9th, 10th, 11th, 12th, and 13th relate to matters I had repeatedly urged on the department. The first I had arranged with your predecessor to carry out, as far as he or I believed for the good of the service; the third I believe to be unwise and illegal. In other words, of the fifteen recommendations made by the commission, two are for the introduction of what already existed, eight are repetitions of my own previous recommendations, one only differs from my recommendation in carrying reductions to what I believe to be an unwise extent, and one other is both unwise and illegal. There remain the extension of hours, the classification of officers, and the complaints as to weighers and gaugers. As to the two first, they relate to matters the control over which is vested with the department and not myself. As to the weighers, a reduction in force would have been made before this time if no commission had existed.

Of the changes recommended, three have been introduced—the reduction of the force, the extension of hours, and the change in the system as to the unloading of steamships; while that as to the classification of officers awaits your approval. The reduction of the force under me was carried out by means of a commission, composed of Samuel G. Ogden, the auditor, who had been thirty-seven years in the custom-house; William H. McMahon, who had been there thirteen years; and Richard Grant White; while the surveyor appointed a similar committee of experienced officers as to the force under him. They acted, after a careful and laborious examination in consultation with the heads of bureaus, and, after a minute personal examination, I adopted their report without any change whatever. It has been stated to me that this mode of carrying out your directions has, in some quarters, been criticised. As to this, I can only say it seemed to me the wisest course, and that before I had adopted it you wrote me, on May 31, 1877, as follows:

> I have conversed with Mr. Jay in regard to matters, and he says you will probably make the reduction by the aid of a commission of trusted officers. I have found in the department here that that mode is the very best in which to make reductions, if the officers are carefully selected.

And in your instructions to me you wrote:

> It is impossible in a force so large as yours that you should know the peculiar qual-

ities and merits of each employé, and it is important in making selections that you secure this information through committees of trusted officers.

You added:

After all, the success of this movement for reform of old abuses, which existed for many years before you became collector, will depend, mainly, upon your good sense and discretion.

Having completed what you described as a "delicate and onerous duty," at the time fixed by you, June 30, I forwarded the schedules to you. On July 26 you wrote me that persons affected had complained to you, but that—

The matter has been fully inquired into by a committee from this department. It is deemed best after this full examination to approve your recommendations throughout, it being apparent that your committee have exercised great care and impartiality.

I have already suggested that in justice the commission ought, while sitting in judgment upon the administration of the customs service at this point, to have noticed the improvements which have been introduced. It is not my purpose here to enumerate them all, but I may call your attention to some.

The general-order system, so called, had been for more than a quarter of a century a constant subject of complaint by the merchants, of investigation by Congress, and of alleged corruption. Since the changes in the system and in the charges for storage, introduced five years ago, no whisper of complaint has been heard.

By a change in the system of ordering goods for examination, a system of fraud and corruption by which the government had lost large sums has been effectually checked.

By another change triplicate consular invoices have been for the first time rendered of some value, and frauds in the suppression of invoices and the procurement of appraisement orders, so called, have been stopped. Fraud or misconduct under the former system led to the removal of six or eight officers of the appraisers' department.

The introduction of a system by which prompt notice is given to merchants of refunds of duties has saved them from imposition and delay in the receipt of moneys due.

A change in the liquidating department has reduced the time needed for the liquidation of entries from months to weeks. Only importers can appreciate the value of this change.

The efficiency of the bureaus in charge of the public store has been so increased that the complaints of petty pilfering and delays have almost ceased.

And, in general, the efficiency of the entire force, including that immediately under the control of the surveyor, has been so increased as to be greater than at any previous period.

An official statement furnished to the commission showed the expense of collecting the revenue at this port in each year since 1857. Under Collector Schell, from 1857 to 1861, the expense was an average of about .59 per cent.; under Mr. Barney, from 1861 to 1864, about .87½ per cent.; under Mr. Draper, in 1864 and 1865, 1.30 per cent.; under Mr. King, in 1865, about .63⅜ per cent.; under Mr. Smythe, from 1866 to 1869, about .74 per cent; under Mr. Grinnell, in 1869 and 1870, about .85 per cent.; under Mr. Murphy, in 1870 and 1871, about .60 per cent.; under Mr. Arthur, from 1871 to 1877, about .62 per cent. The expenses have been increased during the last six years by the introduction of the system of inland transportation in bond, by which duties are collected

elsewhere, though the expense of handling goods is paid here; by the utilization of triplicate invoices; by the notification to merchants of refunds; by the appointment as inspectors of persons not in fact employed under the collector, but, by the orders of the department, detailed to the special agents' offices; and by various other improvements.

In conclusion, permit me to remind you that the simple facts that the enormous business of the custom-house is promptly done; that the mercantile community, as a class, make no complaint; that the accounts are settled with more promptness than ever before, alone furnish a conclusive answer to much of the loose criticism which is applied to that branch of the revenue system.

I am your obedient servant,

C. A. ARTHUR.

Hon. JOHN SHERMAN,
Secretary of the Treasury.

A.

Names of employés holding office prior to December 1, 1871, *and now in office—May* 1, 1877.

Names.	Date of appointment.	Term of service.
W. C. Dayton	Sept. 12, 1829	About 48 years.
E. Dayton Ogden	Oct. 3, 1832	" 45 "
Samuel G. Ogden	June 1, 1841	" 36 "
Fitz Hugh Fay	Oct. 10, 1842	" 35 "
E. M. Evans	Oct. 9, 1849	" 28 "
Thomas Conly	July 13, 1852	" 25 "
Joseph Treloar	Oct. 4, 1853	" 24 "
James Hoffman	Apr. 10, 1854	" 23 "
John R. Lydecker	Sept. 1, 1854	" 23 "
John McMichael	Dec. 1, 1854	" 22 "
John Jeffrey	Oct. 14, 1855	" 22 "
Kiernan Egan	Dec. 4, 1855	" 21 "
Thomas D. Knower	Apr. 23, 1859	" 18 "
John Ellard	Jan. 14, 1861	" 16 "
Treadwell Walters	Apr. 30, 1861	" 16 "
Hamilton Fulton	June 1, 1861	" 16 "
Samuel Sparks	June 7, 1861	" 16 "
Thomas Silvay	July 7, 1861	" 16 "
B. F. Wyman	July 8, 1861	" 16 "
Cornelius Williams	July 12, 1861	" 16 "
William A. Marris	Aug. 1, 1861	" 16 "
Nathaniel W. Howell	Oct. 4, 1861	" 16 "
N. S. Adams	Oct. 19, 1861	" 16 "
Solomon Goldsmith	Feb. 6, 1862	" 15 "
Sherman P. Fitch	Mar. 1, 1862	" 15 "
Joseph Southworth, jr	Mar. 6, 1862	" 15 "
F. E. Hurlbut	Mar. 14, 1862	" 15 "
Frederick Follett	May 18, 1862	" 15 "
Peter Ruck, jr	June 2, 1862	" 15 "
N. H. Osgood	June 5, 1862	" 15 "
Samuel R. Ely, jr	Oct. 9, 1862	" 15 "
Joseph Curran	Dec. 30, 1862	" 14 "
Miles Banks	Jan. 3, 1863	" 14 "
William O. Fitzgerald	May 1, 1863	" 14 "
Edward A. Mann	July 11, 1863	" 14 "
William H. McMahon	Nov. 12, 1863	" 13 "
F. G. Hubbard	May 4, 1864	" 13 "
E. M. Skidmore	May 11, 1864	" 13 "

A.—*Names of employés holding office, &c.*—Continued.

Names.	Date of appointment.	Term of service.
Harrison Millard	May 23, 1864	About 13 years.
James Begin	June 4, 1864	" 13 "
James H. Lewis	Aug. 13, 1864	" 13 "
William Madden	Sept. 1, 1864	" 13 "
Robert Burden	Sept. 1, 1864	" 13 "
Washington Gibbons	Sept. 1, 1864	" 13 "
Joel Blackmer	Sept. 5, 1864	" 13 "
William Green	Sept. 10, 1864	" 13 "
Eugene C. Sutton	Sept. 28, 1864	" 13 "
Charles Crawford	Sept. 30, 1864	" 13 "
William Poole	Nov. 19, 1864	" 12 "
Richard Wynkoop	Dec. 1, 1864	" 12 "
Oscar M. Fisher	Dec. 7, 1864	" 12 "
James H. Bostwick	Apr. 12, 1865	" 12 "
Edwin A. Perry	Apr. 26, 1865	" 12 "
William B. Woolsey	May 1, 1865	" 12 "
John N. Coyne	May 16, 1865	" 12 "
George H. Tucker	July 1, 1865	" 12 "
Daniel Sullivan	July 17, 1865	" 12 "
John J. Herrick	July 12, 1865	" 12 "
Noah B. Stokley	Aug. 24, 1865	" 12 "
James A. Lackey	Aug. 27, 1865	" 12 "
Charles G. Smith	Sept. 18, 1865	" 12 "
Isaac Trimble	Sept. 27, 1865	" 12 "
William H. Rogers	Dec. 1, 1865	" 11 "
H. E. Esterbrook	Jan. 2, 1866	" 11 "
Preston King Webster	Feb. 1, 1866	" 11 "
Charles E. Bell	Feb. 19, 1866	" 11 "
A. H. Stratton	Mar. 16, 1866	" 11 "
Charles F. Kane	May 4, 1866	" 11 "
P. A. Van Bergen	June 10, 1866	" 11 "
Richard Grant White	June 29, 1866	" 11 "
Gennie C. Ferris	July 6, 1866	" 11 "
David Van Osdell	July 7, 1866	" 11 "
David Lydig	July 10, 1866	" 11 "
Henry L. Potter	July 10, 1866	" 11 "
Peter Courter	July 12, 1866	" 11 "
A. Chalmers Hinton	Sept. 8, 1866	" 11 "
John F. Emerson	Sept. 18, 1866	" 11 "
John R. B. Gardinier	Oct. 19, 1866	" 11 "
William E. Wall	Oct. 23, 1866	" 11 "
Jacob H. Cohen	Nov. 19, 1866	" 10 "
H. B. Fiske	Nov. 6, 1866	" 10 "
John D. Terry	Nov. 20, 1866	" 10 "
N. Van Alstyne	Nov. 20, 1866	" 10 "
B. F. Washington	Nov. 21, 1866	" 10 "
Herman Melville	Dec. 5, 1866	" 10 "
Francis Gay	Jan. 15, 1867	" 10 "
J. S. Palmer	Jan. 15, 1867	" 10 "
Joseph Brock	Mar. 1, 1867	" 10 "
Frederick H. Wight	Mar. 25, 1867	" 10 "
Valentine Bagley	Mar. 30, 1867	" 10 "
Joseph H. Chambers	Mar. 30, 1867	" 10 "
B. S. Carpenter	Apr. 1, 1867	" 10 "
J. F. Morgans	Apr. 11, 1867	" 10 "
A. G. Iffla	Apr. 12, 1867	" 10 "
George L. Crane	May 1, 1867	" 10 "
John Van Arsdale	May 1, 1867	" 10 "
J. S. Moore	May 21, 1867	" 10 "
Walter S. Hill	May 31, 1867	" 10 "
Charles A. Fisher	June 20, 1867	" 10 "
Isaac P. Trimble	Aug. 1, 1867	" 10 "
George B. Eaton	Sept. 4, 1867	" 10 "
H. B. Uhlee	Oct. 1, 1867	" 10 "

A.—*Names of employés holding office, &c.*—Continued.

Names.	Date of appointment.	Term of service.
Joseph Evans	Nov. 1, 1867	About 9 years.
Patrick Kelly	Nov. 1, 1867	" 9 "
John Witschief	Nov. 1, 1867	" 9 "
John Wiggins	Nov. 9, 1867	" 9 "
William A. Purdie	Dec. 3, 1867	" 9 "
J. B. Van Zandt	Dec. 31, 1867	" 9 "
John P. Williams	Dec. 31, 1867	" 9 "
John Pennell	Jan. 31, 1868	" 9 "
Wedworth Wadsworth	Feb. 3, 1868	" 9 "
William H. Northup	Feb. 12, 1868	" 9 "
Joseph A. Flynn	Mar. 6, 1868	" 9 "
William Conklin	Mar. 16, 1868	" 9 "
S. F. E. Kirby	Mar. 25, 1868	" 9 "
Patrick Hammond	Apr. 14, 1868	" 9 "
Maria L. Ellis	June 1, 1868	" 9 "
R. Munkittrick	June 1, 1868	" 9 "
F. M. Watson	June 15, 1868	" 9 "
G. F. Tait	June 20, 1868	" 9 "
F. E. Farmer	June 22, 1868	" 9 "
C. H. Knight	June 30, 1868	" 9 "
James Carter	July 15, 1868	" 9 "
J. M. Anderson	Sept. 1, 1868	" 9 "
Charles W. Glaser	Sept. 1, 1868	" 9 "
E. H. M. Ehlers	Sept. 2, 1868	" 9 "
G. Von Schack	Sept. 8, 1868	" 9 "
Hugh McGinty	Oct. 5, 1868	" 9 "
John W. Robertson	Nov. 23, 1868	" 8 "
Wm. P. Rodgers	Nov. 23, 1868	" 8 "
Walter L. Judd	Dec. 9, 1868	" 8 "
Samuel Hopper	Dec. 31, 1868	" 8 "
David N. Merritt	Dec. 31, 1868	" 8 "
John R. Farlee	Jan. 1, 1869	" 8 "
Andrew J. Oliver	Jan. 4, 1869	" 8 "
F. B. Lawrence	Jan. 12, 1869	" 8 "
Patrick Devoy	Jan. 21, 1869	" 8 "
Enoch Armitage	Jan. 30, 1869	" 8 "
J. M. Wild	Jan. 30, 1869	" 8 "
C. F. E. Lueder	Feb. 1, 1869	" 8 "
J. A. Wisner	Feb. 1, 1869	" 8 "
C. M. Julian	Feb. 9, 1869	" 8 "
George W. Luckey	Feb. 15, 1869	" 8 "
Joseph L. Chapman	Feb. 20, 1869	" 8 "
Robert Utley	Feb. 20, 1869	" 8 "
A. J. Van Ham	Feb. 20, 1869	" 8 "
F. W. Brooks	Feb. 23, 1869	" 8 "
H. B. Archer	Feb. 26, 1869	" 8 "
John Dempsey	Mar. 2, 1869	" 8 "
Joseph Smith	Mar. 3, 1869	" 8 "
Samuel B. Curtis	Apr. 5, 1869	" 8 "
Thomas McCabe	Apr. 13, 1869	" 8 "
Edward Jardine	Apr. 14, 1869	" 8 "
Charles Crandall	Apr. 17, 1869	" 8 "
William Alexander	Apr. 19, 1869	" 8 "
John G. Dubert	Apr. 19, 1869	" 8 "
John Laird	Apr. 22, 1869	" 8 "
S. M. Blatchford	Apr. 23, 1869	" 8 "
Aldophus Borst	Apr. 24, 1869	" 8 "
Richard H. Barry	Apr. 24, 1869	" 8 "
James O. Ellery	Apr. 26, 1869	" 8 "
David Gibbons	Apr. 26, 1869	" 8 "
Timothy Linch	Apr. 26, 1869	" 8 "
William H. Metcalf	Apr. 26, 1869	" 8 "
R. T. Martling	Apr. 26, 1869	" 8 "
Peter Vogelsang	Apr. 26, 1869	" 8 "

A.—*Names of employés holding office, &c.*—Continued.

Names.	Date of appointment.	Term of service.
A. H. Hills	Apr. 28, 1869	About 8 years.
George W. Wright	Apr. 29, 1869	" 8 "
Charles S. Strong	Apr. 30, 1869	" 8 "
Bayly B. Brown	May 1, 1869	" 8 "
Frank D. Curtis	May 1, 1869	" 8 "
John Greenback	May 1, 1869	" 8 "
John Lalor	May 1, 1869	" 8 "
W. S. Salingre	May 1, 1869	" 8 "
Leroy Schermerhorn	May 1, 1869	" 8 "
William Freeman	May 3, 1869	" 8 "
James W. Grover	May 5, 1869	" 8 "
Frank Henderson	May 6, 1869	" 8 "
A. E. Chamberlain	May 7, 1869	" 8 "
Sarah A. Genet	May 13, 1869	" 8 "
G. B. Bacon	May 17, 1869	" 8 "
M. W. Burns	May 24, 1869	" 8 "
John Quackenbush	May 24, 1869	" 8 "
Eugene O'Shea	May 27, 1869	" 8 "
William H. Benjamin	May 28, 1869	" 8 "
R. J. Paulison	June 1, 1869	" 8 "
Michael Sherry	June 1, 1869	" 8 "
H. H. Smith	June 1, 1869	" 8 "
C. Y. Shepard	June 1, 1869	" 8 "
George A. Leland	June 2, 1869	" 8 "
William S. Appleton	June 4, 1869	" 8 "
Peter C. Bensel	June 5, 1869	" 8 "
C. F. W. Behm	June 7, 1869	" 8 "
John P. Newell	June 7, 1869	" 8 "
Benjamin Stainsby	June 7, 1869	" 8 "
Elisha Travis	June 7, 1869	" 8 "
William Wernhouer	June 10, 1869	" 8 "
E. H. Fletcher	June 14, 1869	" 8 "
D. B. Baldwin	June 14, 1869	" 8 "
Augustus Werner	June 15, 1869	" 8 "
W. H. Cooper	June 16, 1869	" 8 "
Andrew McCort	June 16, 1869	" 8 "
Robert L. Bucklin	July 3, 1869	" 8 "
Thomas Casey	July 3, 1869	" 8 "
John H. Davison	July 3, 1869	" 8 "
John Danforth	July 3, 1869	" 8 "
John L. Hoyt	July 3, 1869	" 8 "
William McMonegal	July 3, 1869	" 8 "
Noble McDonald	July 3, 1869	" 8 "
S. T. Munson	July 3, 1869	" 8 "
Archibald Van Alstyne	July 3, 1869	" 8 "
Isaac S. Youngs	July 3, 1869	" 8 "
Naaman Davis	July 6, 1869	" 8 "
J. W. Barker	July 8, 1869	" 8 "
H. D. Sewall	July 8, 1869	" 8 "
John P. Conklin, jr	July 10, 1869	" 8 "
Edward Duffy	July 10, 1869	" 8 "
E. Hammond	July 12, 1869	" 8 "
Charles H. Bliven	July 13, 1869	" 8 "
Joseph G. Folger	July 17, 1869	" 8 "
A. L. Reid	July 17, 1869	" 8 "
William G. Tway	July 17, 1869	" 8 "
John Kain	July 20, 1869	" 8 "
M. C. Steele, (inspectress)	July 26, 1869	" 8 "
J. A. Cryan	Aug. 2, 1869	" 8 "
W. W. Naramore	Aug. 11, 1869	" 8 "
R. J. Jimmerson	Aug. 12, 1869	" 8 "
John F. Young	Aug. 13, 1869	" 8 "
John E. Robinson	Aug. 17, 1869	" 8 "
Cornelius Van Cott	Aug. 19, 1869	" 8 "

A.—*Names of employés holding office, &c.*—Continued.

Names.	Date of appointment.	Term of service.
Gilbert M. Cole	Aug. 25, 1869	About 8 years.
F. G. Wentworth	Aug. 25, 1869	" 8 "
Richard Hastings	Sept. 1, 1869	" 8 "
Gabriel Van Cott	Sept. 1, 1869	" 8 "
Augustus C. Tate	Sept. 1, 1869	" 8 "
W. H. Winans	Sept. 1, 1869	" 8 "
George H. Shirley	Sept. 4, 1869	" 8 "
F. W. J. Sizer	Sept. 6, 1869	" 8 "
D. D. Connery, jr	Sept. 14, 1869	" 8 "
John A. Meek	Sept. 16, 1869	" 8 "
B. H. Nadal	Sept. 25, 1869	" 8 "
John Allen	Oct. 1, 1869	" 8 "
Isaac D. Balch	Oct. 1, 1869	" 8 "
James T. Collyer	Oct. 11, 1869	" 8 "
J. B. Whitlock	Oct. 25, 1869	" 8 "
J. Watson Jones	Oct. 29, 1869	" 8 "
G. Ten Eyck Sheldon	Oct. 30, 1869	" 8 "
John V. Williams	Oct. 30, 1869	" 8 "
James Carle	Nov. 1, 1869	" 7 "
W. S. Gerrish	Nov. 1, 1869	" 7 "
Samuel Minnes	Nov. 5, 1869	" 7 "
George Barrow	Nov. 12, 1869	" 7 "
George W. Bungay	Nov. 13, 1869	" 7 "
John H. Dumond	Nov. 19, 1869	" 7 "
J. Day Smith	Nov. 19, 1869	" 7 "
Mason Ferris	Nov. 26, 1869	" 7 "
M. H. Chapel	Dec. 1, 1869	" 7 "
Thomas W. Cartwright	Dec. 6, 1869	" 7 "
W. B. Crowell	Dec. 6, 1869	" 7 "
N. G. Williams	Dec. 7, 1869	" 7 "
W. M. Stuart	Dec. 13, 1869	" 7 "
F. F. Baury	Dec. 28, 1869	" 7 "
David Gillies	Dec. 28, 1869	" 7 "
J. W. Hogeboom	Dec. 28, 1869	" 7 "
D. P. Quackenbush	Dec. 31, 1869	" 7 "
Thomas Hagan	Jan. 4, 1870	" 7 "
James H. Wild	Jan. 8, 1870	" 7 "
David E. Austen	Jan. 31, 1870	" 7 "
E. N. Shelden	Jan. 31, 1870	" 7 "
O. M. Clanharty	Feb. 7, 1870	" 7 "
Robert Schwartzkopf	Feb. 7, 1870	" 7 "
Alexander Graham	Feb. 10, 1870	" 7 "
Alexander Johnston	Feb. 11, 1870	" 7 "
J. F. Ames	Feb. 14, 1870	" 7 "
Levi Grosvenar	Feb. 14, 1870	" 7 "
M. H. Walker	Feb. 14, 1870	" 7 "
John P. Hone	Feb. 15, 1870	" 7 "
Stephen Shangle	Feb. 15, 1870	" 7 "
J. Henry Storey	Feb. 24, 1870	" 7 "
A. J. Wilkinson	Mar. 1, 1870	" 7 "
Job L. Potter	Mar. 8, 1870	" 7 "
A. D. Whitehouse	Mar. 10, 1870	" 7 "
E. St. Clair Clark	Mar. 18, 1870	" 7 "
R. H. Gray	Apr. 1, 1870	" 7 "
Garrett J. Sullivan	Apr. 1, 1870	" 7 "
James M. Russell	Apr. 5, 1870	" 7 "
M. Lowenstein	Apr. 12, 1870	" 7 "
Frank Meyer	Apr. 12, 1870	" 7 "
James Whytal	Apr. 15, 1870	" 7 "
James Webb	Apr. 21, 1870	" 7 "
James S. Bangs	Apr. 23, 1870	" 7 "
James R. McNaughton	Apr. 25, 1870	" 7 "
Benjamin S. Steen	Apr. 25, 1870	" 7 "
John C. Lane	Apr. 30, 1870	" 7 "

A.—*Names of employés holding office, &c.*—Continued.

Names.	Date of appointment.	Term of service.
Samuel T. Lappin	Apr. 30, 1870	About 7 years.
William Speiden	May 6, 1870	" 7 "
William H. Milgate	May 9, 1870	" 7 "
John Mitchell	May 31, 1870	" 7 "
Joseph Dumble	June 2, 1870	" 7 "
R. J. Johnston	June 2, 1870	" 7 "
John Van Deventer	June 13, 1870	" 7 "
William Gerity	June 16, 1870	" 7 "
J. G. Armstrong	Jnne 16, 1870	" 7 "
Edward F. Denike	June 18, 1870	" 7 "
H. DeF. Young	June 20, 1870	" 7 "
Henry Waldo	June 23, 1870	" 7 "
Samuel Hepburn	June 25, 1870	" 7 "
John J. O'Brien	July 25, 1870	" 7 "
Joseph C. Scully	Aug. 1, 1870	" 7 "
Samuel J. Jacobs	Aug. 3, 1870	" 7 "
Naiman Ettinge	Aug. 10, 1870	" 7 "
E. M. Rosenbaum	Aug. 13, 1870	" 7 "
John Brophy	Aug. 18, 1870	" 7 "
H. J. Hite	Aug. 18, 1870	" 7 "
Samuel Wallace	Aug. 27, 1870	" 7 "
Edward Roberts	Aug. 31, 1870	" 7 "
W. L. Jones	Sept. 3, 1870	" 7 "
J. L. Rohner	Sept. 19, 1870	" 7 "
George C. Dennis	Sept. 26, 1870	" 7 "
William Glaser	Sept. 26, 1870	" 7 "
James Jackson	Sept. 26, 1870	" 7 "
John H. Kimberly	Sept. 26, 1870	" 7 "
Peter Kearns	Sept. 26, 1870	" 7 "
Arad Gilbert	Oct. 1, 1870	" 7 "
John N. Lanthier	Oct. 4, 1870	" 7 "
Knox McAfee	Oct. 4, 1870	" 7 "
James C. Aitken	Oct. 6, 1870	" 7 "
W. A. Childs	Oct. 6, 1870	" 7 "
Francis Page	Oct. 6, 1870	" 7 "
Chester J. Moore	Oct. 7, 1870	" 7 "
Wm. V. Leggett	Oct. 8, 1870	" 7 "
C. L. Alvard	Oct. 10, 1870	" 7 "
Chas. Blackie	Oct. 10, 1870	" 7 "
J. K. Butler	Oct. 10, 1870	" 7 "
J. W. Bremer	Oct. 10, 1870	" 7 "
J. W. Cronkhite	Oct. 10, 1870	" 7 "
Isaac Kohn	Oct. 10, 1870	" 7 "
Geo. S. McWatters	Oct. 10, 1870	" 7 "
Wm. M. Peebles	Oct. 10, 1870	" 7 "
Samuel Rothschild	Oct. 10, 1870	" 7 "
Theo. Steltz	Oct. 10, 1870	" 7 "
Alfred Douglass	Oct. 12, 1870	" 7 "
Wm. J. O'Bryan	Oct. 13, 1870	" 7 "
Wm. Edwards	Oct. 14, 1870	" 7 "
J. C. Watson	Oct. 14, 1870	" 7 "
Andrew A. Foster	Oct. 17, 1870	" 7 "
A. H. Mulligan	Oct. 17, 1870	" 7 "
K. N. Prince	Oct. 17, 1870	" 7 "
R. K. Sanford	Oct. 17, 1870	" 7 "
William Starritt	Oct. 18, 1870	" 7 "
T. S. Northup	Oct. 24, 1870	" 7 "
J. H. Edson	Oct. 25, 1870	" 7 "
Matthew Davis	Oct. 31, 1870	" 7 "
Edwin M. Estabrook	Oct. 31, 1870	" 7 "
Louis Froelich	Oct. 31, 1870	" 7 "
Jas. H. Clark	Nov. 9, 1870	" 6 "
Clark F. Wager	Nov. 9, 1870	" 6 "
Geo. D. Carroll	Nov. 10, 1870	" 6 "

A.—*Names of employés holding office, &c.*—Continued.

Names.	Date of appointment.	Term of service.
Michael Costello	Nov. 10, 1870	About 6 years.
N. B. Bartram	Nov. 16, 1870	" 6 "
John Kedzie	Nov. 18, 1870	" 6 "
W. C. Maitland	Nov. 18, 1870	" 6 "
Edward Carney	Nov. 21, 1870	" 6 "
Ledyard S. Cuyler	Nov. 22, 1870	" 6 "
James Conchie	Nov. 28, 1870	" 6 "
Aaron McCall	Nov. 28, 1870	" 6 "
D. T. Neligan	Nov. 28, 1870	" 6 "
Joseph Walters	Nov. 28, 1870	" 6 "
Geo. W. Hart	Dec. 2, 1870	" 6 "
John A. Miller	Dec. 7, 1870	" 6 "
S. H. Slosson	Dec. 7, 1870	" 6 "
L. G. Webster	Dec. 8, 1870	" 6 "
Peter Carley	Dec. 10, 1870	" 6 "
B. A. Mayereau	Dec. 10, 1870	" 6 "
Wm. H. Maddox	Dec. 10, 1870	" 6 "
Henry Osterheld	Dec. 10, 1870	" 6 "
Chas. H. Rogers	Dec. 10, 1870	" 6 "
W. D. Sloane	Dec. 10, 1870	" 6 "
Ashbel Denison	Dec. 12, 1870	" 6 "
P. B. Nichols	Dec. 12, 1870	" 6 "
John P. Compton	Dec. 13, 1870	" 6 "
Hallet T. Clock	Dec. 14, 1870	" 6 "
Edward S. Payne	Dec. 14, 1870	" 6 "
Wm. H. Ross	Dec. 19, 1870	" 6 "
John E. Hunt	Dec. 20, 1870	" 6 "
A. M. Perrin	Dec. 20, 1870	" 6 "
Robert Crowe	Dec. 23, 1870	" 6 "
Gilbert Daton	Dec. 27, 1870	" 6 "
Geo. L. Kilborn	Dec. 27, 1870	" 6 "
Edward A. Dunham, jr	Dec. 31, 1870	" 6 "
John H. Powers	Dec. 31, 1870	" 6 "
John J. Pollok	Dec. 31, 1870	" 6 "
S. Alpheus Smith	Dec. 31, 1870	" 6 "
Wm. Schefer	Dec. 31, 1870	" 6 "
Jacob Smith	Dec. 31, 1870	" 6 "
Raphael Weil	Dec. 31, 1870	" 6 "
Samuel G. Acton	Jan. 9, 1871	" 6 "
Chauncey B. Fowler	Jan. 9, 1871	" 6 "
Andrew Gregory, jr	Jan. 9, 1871	" 6 "
Samuel R. Deggett	Jan. 9, 1871	" 6 "
Louis Lounsberry	Jan. 9, 1871	" 6 "
Robert J. Morgan	Jan. 9, 1871	" 6 "
Butler G. Noble	Jan. 9, 1871	" 6 "
A. H. Phillips	Jan. 9, 1871	" 6 "
Samuel P. Russell	Jan. 9, 1871	" 6 "
H. D. Stanwood	Jan. 9, 1871	" 6 "
Asa Willey	Jan. 10, 1871	" 6 "
Thomes B. Doane	Jan. 11, 1871	" 6 "
John E. Collins	Jan. 12, 1871	" 6 "
James Foster	Jan. 14, 1871	" 6 "
William B. Oliver	Jan. 14, 1871	" 6 "
Julius Stavenow	Jan. 16, 1871	" 6 "
A. W. Geer	Jan. 17, 1871	" 6 "
Alfred Mabie	Jan. 17, 1871	" 6 "
C. B. A. Spannent	Jan. 19, 1871	" 6 "
Patrick Quinn	Jan. 20, 1871	" 6 "
Donald McDonald	Jan. 21, 1871	" 6 "
Levi A. Farr	Jan. 24, 1871	" 6 "
M. D. Moore	Jan. 24, 1871	" 6 "
J. Henry Smith	Jan. 24, 1871	" 6 "
O. D. W. Brown	Jan. 25, 1871	" 6 "
W. V. H. Cortelyou	Jan. 25, 1871	" 6 "

A.—*Names of employés holding office, &c.*—Continued.

Names.	Date of appointment.	Term of service.
P. J. Miniter	Jan. 25, 1871	About 6 years.
T. P. Wheeler	Jan. 30, 1871	" 6 "
James L. Farley	Feb. 2, 1871	" 6 "
William D. Hicks	Feb. 4, 1871	" 6 "
B. F. Bozard	Feb. 8, 1871	" 6 "
George W. Francis	Feb. 8, 1871	" 6 "
Peter J. Munro	Feb. 9, 1871	" 6 "
Charles A. Gage	Feb. 10, 1871	" 6 "
Levi B. Morey	Feb. 11, 1871	" 6 "
Lewis M. Cohen	Feb. 23, 1871	" 6 "
Andrew Dodds	Feb. 23, 1871	" 6 "
William F. Harradon	Feb. 23, 1871	" 6 "
John Kyle	Feb. 23, 1871	" 6 "
Charles E. Leveridge	Feb. 24, 1871	" 6 "
Charles McColley	Feb. 24, 1871	" 6 "
Eneas Elliott	Feb. 25, 1871	" 6 "
E. D. Potter	Feb. 25, 1871	" 6 "
Thomas Scanlin	Feb. 25, 1871	" 6 "
William M. Fowler	Mar. 3, 1871	" 6 "
E. Vantambacht	Mar. 8, 1871	" 6 "
Henry Haff	Mar. 11, 1871	" 6 "
Daniel Hesse	Mar. 14; 1871	" 6 "
R. G. Waters	Mar. 14, 1871	" 6 "
Thomas G. Baker	Mar. 16, 1871	" 6 "
Hamilton Reeve, jr	Mar. 20, 1871	" 6 "
Heman Blodgett	Mar. 27, 1871	" 6 "
Thomas Bell	Mar. 27, 1871	" 6 "
M. H. Lawrence, jr	Mar. 31, 1871	" 6 "
Charles S. Tunis	Mar. 31, 1871	" 6 "
William Cox	Apr. 1, 1871	" 6 "
Dennis Burns	Apr. 3, 1871	" 6 "
Jacob Swartz, jr	Apr. 5, 1871	" 6 "
William Handley	Apr. 6, 1871	" 6 "
John Pullman	Apr. 6, 1871	" 6 "
H. B. Lord	Apr. 19, 1871	" 6 "
Hiram Wiard	Apr. 24, 1871	" 6 "
Richard W. Bush	Apr. 26, 1871	" 6 "
James Bryan	Apr. 26, 1871	" 6 "
Horace F. Curtis	Apr. 26, 1871	" 6 "
Ferdinand de Wigne	Apr. 26, 1871	" 6 "
Alexander B. Douglass	May 1, 1871	" 6 "
Alonzo Bliss	May 2, 1871	" 6 "
Jeremiah Drew	May 2, 1871	" 6 "
Samuel W. Clay	May 3, 1871	" 6 "
Melancthon H. Curtis	May 3, 1871	" 6 "
William G. Rankin	May 10, 1871	" 6 "
Jeremiah Conley	May 14, 1871	" 6 "
Matthew Hicks	May 15, 1871	" 6 "
Mortimore Selkreg	May 15, 1871	" 6 "
Robert Edwards	May 16, 1871	" 6 "
Frank Bury	May 18, 1871	" 6 "
Frederick Johnson	May 18, 1871	" 6 "
Benjamin Van Riper	May 19, 1871	" 6 "
James M. Wheeler	May 23, 1871	" 6 "
F. M. Buell	May 25, 1871	" 6 "
William Lee Darling	May 31, 1871	" 6 "
Thomas J. Kelley	May 31, 1871	" 6 "
David McBride	June 1, 1871	" 6 "
Robert Vosburgh	June 2, 1871	" 6 "
Thomas Bates	June 6, 1871	" 6 "
Edward A. Birnie	June 8, 1871	" 6 "
C. S. Babcock	June 9, 1871	" 6 "
Charles C. Shaw	June 11, 1871	" 6 "
William De Angelis	June 12, 1871	" 6 "

A.—*Names of employés holding office, &c.*—Continued.

Names.	Date of appointment.	Term of service.
William H. Grace	June 16, 1871	About 6 years.
Richard P. Egan	June 26, 1871	" 6 "
John French, jr	June 27, 1871	" 6 "
Charles Hack	July 1, 1871	" 6 "
William Morgan	July 1, 1871	" 6 "
George C. Kibbie	July 6, 1871	" 6 "
D. W. Sims	July 6, 1871	" 6 "
B. Montague	July 7, 1871	" 6 "
John Birdsall	July 20, 1871	" 6 "
John Stewart	July 27, 1871	" 6 "
Edward W. Simonds	Aug. 1, 1871	" 6 "
A. Eugenie Upham	Aug. 3, 1871	" 6 "
John McKenzie	Aug. 5, 1871	" 6 "
Selah W. Brower	Aug. 12, 1871	" 6 "
Stephen S. Doty	Aug. 17, 1871	" 6 "
A. H. McMeekin	Aug. 17, 1871	" 6 "
George A. Booth	Aug. 18, 1871	" 6 "
James H. Holmes	Aug. 21, 1871	" 6 "
Thomas W. Baird	Aug. 30, 1871	" 6 "
J. H. Meredith	Sept. 1, 1871	" 6 "
James Owens	Sept. 1, 1871	" 6 "
T. J. Donohue	Oct. 2, 1871	" 6 "
Thomas C. Lupton	Oct. 5, 1871	" 6 "
John H. Brady	Oct. 7, 1871	" 6 "
Jesse Segoine	Oct. 7, 1871	" 6 "
F. W. Welp	Oct. 9, 1871	" 6 "
William S. Langdon	Oct. 11, 1871	" 6 "
Mortimer C. Lee	Oct. 11, 1871	" 6 "
F. J. Ottarson	Oct. 11, 1871	" 6 "
John N. Ladue	Oct. 13, 1871	" 6 "
F. C. Imlay	Oct. 14, 1871	" 6 "
Alexander H. Keech	Oct. 17, 1871	" 6 "
J. W. Byron	Oct. 28, 1871	" 6 "
David Wilson	Oct. 28, 1871	" 6 "
Edward Dennis	Oct. 30, 1871	" 6 "
James B. Presdee	Nov. 2, 1871	" 5½ "
James Donaghe	Nov. 10, 1871	" 5½ "
Frank T. Barker	Nov. 11, 1871	" 5½ "
August A. Limburger	Nov. 13, 1871	" 5¼ "
George Williams	Nov. 13, 1871	" 5½ "
Hugh Maguire	Nov. 14, 1871	" 5½ "
William Merton	Nov. 16, 1871	" 5½ "
Alvin Rose	Nov. 18, 1871	" 5½ "
Charles Cumberson	Nov. 20, 1871	" 5½ "
M. C. Hart	Nov. 29, 1871	" 5½ "

Recapitulation of report of employés now in office, who held office prior to December 1, 1871:

1 employé has been in office	48 years.
1.....do.....do	45 "
1.....do.....do	36 "
1.....do.....do	35 "
1.....do.....do	28 "
1.....do.....do	25 "
1.....do.....do	24 "
2.....do.....do	23 "
2.....do.....do	22 "
1.....do.....do	21 "
1.....do.....do	18 "
10.....do.....do	16 "
8.....do.....do	15 "

4	employés	have been in office	14	years.
13	do	do	13	"
14	do	do	12	"
17	do	do	11	"
23	do	do	10	"
26	do	do	9	"
120	do	do	8	"
107	do	do	7	"
166	do	do	6	"
10	do	do	5½	"

531--Total.

B.—*Names of persons in the collector's department of the New York custom-house holding positions of* $2,000 *per annum and upward.*

Name.	Date of appointment.	Position then appointed to.	Original salary.	By whom appointed.	Position now held.	Present salary.	By whom promoted to present position.	Date of promotion.
FIRST DIVISION—AUDITOR'S DEPARTMENT.								
Samuel S. Ogden	June 1, 1841	Auditor	$3,000	Curtis	Auditor	$7,000	Grinnell	Dec. 2, 1869
Samuel J. Jacobs	Aug. 1, 1870	Clerk	2,000	Muphy	Assistant auditor	3,500	Murphy	Oct. 4, 1870
John J. Herrick	July 12, 1865	Assistant auditor	3,000	Draper	do	3,500		
E. M. Evans	Oct. 9, 1849	Clerk	900	Maxwell	Chief clerk	3,000	Schell	Oct. 7, 1860
F. G. Wentworth	Aug. 24, 1869	do	1,800	Grinnell	Paymaster	2,500	Arthur	Mar. 1, 1875
Alvin Rose	Aug. 10, 1871	do	1,500	Murphy	Clerk	2,000	do	May 2, 1874
William A. Childs	Oct. 4, 1870	do	2,000	do	do	2,000		
N. S. Adams	Oct. 22, 1861	Inspector	3 p. d.	Barney	do	2,000	Arthur	Mar. 13, 1872
Joseph Southworth, jr	Mar. 4, 1862	Clerk	800	do	do	2,000	do	May 6, 1874
R. G. White	Jan. 10, 1862	do	1,100	do	do	2,000	Smythe	June 29, 1866
John W. Wilson	Jan. 27, 1873	Stenographer	2,000	Arthur	Stenographer	2,000		
SECOND DIVISION—CASHIER'S OFFICE.								
James Hoffman	Aug. 10, 1854	Clerk	1,500	Redfield	Cashier	5,000	Arthur	July 11, 1876
Charles Treichel	May 6, 1874	do	1,500	Arthur	Assistant cashier	3,500	do	Oct. 30, 1876
J. P. Newell	July 12, 1865	do	1,800	Draper	Clerk	2,000	do	Oct. 30, 1876
Fitzhugh Fay	Oct. 10, 1842	do	1,000	Curtis	do	2,000	Smythe	Feb. 10, 1868
George A. Bennett	Jan. 23, 1866	do	1,500	King	do	2,000	Arthur	Sept. 4, 1873
C. H. Bliven	July 10, 1869	do	1,200	Grinnell	do	2,000	do	May 11, 1872
THIRD DIVISION—WAREHOUSE DEPARTMENT.								
John J. Osborn	Aug. 10, 1872	Clerk	2,000	Arthur	Deputy collector	3,000	Arthur	Oct. 1, 1873
Frederick H. Wight	May 12, 1867	Inspector	4 p. d.	Smythe	Chief clerk	2,500	do	Dec. 15, 1873
C. S. Babcock	June 2, 1871	Clerk	1,200	Murphy	Clerk	2,000	do	Nov. 23, 1875
FOURTH DIVISION—NAVIGATION DEPARTMENT.								
Richard Wynkoop	Aug. 31, 1864	Clerk	1,200	Barney	Deputy collector	3,000	Arthur	Dec. 15, 1873
Joseph H. Meredith	Aug. 22, 1871	do	1,600	Murphy	Chief clerk	2,500	do	May 2, 1874
FIFTH DIVISION—ENTRY DEPARTMENT.								
William A. Morris	Aug. 1, 1861	Clerk	1,100	Barney	Deputy collector	3,000	Grinnell	Apr. 23, 1869
William H. McMahon	Nov. 10, 1863	do	1,095	do	Chief clerk	3,000	do	Apr. 12, 1870
John Quackenbush	July 1, 1865	Entry clerk	2,000	Draper	Chief entry clerk	2,500	do	May 20, 1869
Harrison Millard	May 20, 1864	Clerk	1,100	Barney	Entry clerk	2,200	Smythe	Oct. 19, 1866
William S. Appleton	June 19, 1867	Storekeeper	4 p. d.	Smythe	do	2,200	Grinnell	June 3, 1869
David E. Austen	Jan. 31, 1870	Entry clerk	2,200	Grinnell	do	2,200		

John P. Hone	Feb. 12, 1870	do	2,200	do	do	2,200			
N. B. Bartram	Nov. 14, 1870	do	2,200	Murphy	do	2,200			
S. H. Slosson	Dec. 14, 1870	do	2,200	do	do	2,200			
John H. Kimberly	Aug. 16, 1870	Clerk	1,400	do	do	2,200	Murphy	Oct.	12, 1871
William G. Rankin	May 6, 1871	do	1,600	do	do	2,200	do	Nov.	29, 1871
James Jackson	Sept. 1, 1870	do	1,500	do	do	2,200	Arthur	Apr.	17, 1872
James M. Wheeler	May 20, 1871	do	1,400	do	do	2,200	do	July	1, 1872
H. D. Stanwood	Jan. 5, 1871	do	1,500	do	do	2,200	do	Jan.	21, 1874
H. E. Esterbrook	Dec. 30, 1866	do	1,000	King	Chief liquidating clerk	2,200	Grinnell	Nov.	3, 1869
George L. Crane	Apr. 27, 1867	do	1,400	Smythe	Liquidating clerk	2,200	do	Nov.	3, 1869
William H. Rogers	—— —, 1859	Messenger	300	Schell	do	2,200	Arthur	Mar.	2, 1875
R. C. Cooley	June 24, 1872	Clerk	2,000	Arthur	do	2,200	do	Mar.	2, 1875
Charles S. Strong	Apr. 26, 1869	Inspector	4 p. d.	Grinnell	do	2,200	do	July	31, 1876
John A. Miller	June 19, 1868	Clerk	1,200	Smythe	do	2,200	do	Jan.	16, 1873
James L. Farley	Jan. 31, 1871	do	1,400	Murphy	do	2,200	do	Oct.	22, 1873
Edwin A. Perry	Aug. 25, 1865	do	1,400	Draper	do	2,200	Smythe	Feb.	21, 1867
N. W. Howell	Oct. 14, 1861	do	1,100	Barney	do	2,200	Arthur	Jan.	21, 1874
Clarence Ogden	Nov. 15, 1872	do	1,800	Arthur	do	2,200	do	Jan.	21, 1874
H. S. Crandall	Jan. 2, 1872	do	1,500	do	do	2,200	do	June	21, 1876
William Spieden	May 4, 1870	do	1,500	Grinnell	do	2,200	do	July	2, 1873
John E. Robinson	Aug. 17, 1869	do	1,200	do	do	2,200	do	July	10, 1874
D. F. Merrill	May 8, 1871	do	1,200	Murphy	do	2,200	do	Feb.	10, 1876
Noah B. Stokely	Aug. 23, 1865	do	1,400	Draper	do	2,200	do	Sept.	13, 1872
Houghton Wheeler	June 24, 1872	do	1,200	Arthur	do	2,200	do	Jan.	10, 1874
John Frey	Dec. 19, 1871	do	1,800	do	do	2,200	do	Mar.	13, 1872
John L. Bickford	Mar. 21, 1872	do	1,600	do	do	2,200	do	Jan.	21, 1874
Charles E. Clarke, jr	July 10, 1874	do	1,500	do	do	2,200	do	Dec.	3, 1875
Edwin A. Mann	Sept. 21, 1861	do	800	Barney	do	2,200	do	Jan.	16, 1873
David Lydig	Jan. 5, 1866	do	1,200	Smythe	do	2,000	Grinnell	Dec.	6, 1869
H. F. Curtis	May 31, 1869	do	1,200	Grinnell	do	2,000	Arthur	Dec.	23, 1871
Henry Osterheld	Dec. 8, 1870	Storekeeper	4 p. d.	Murphy	do	2,000	do	Feb.	10, 1876
J. W. Cronkhite	Oct. 7, 1870	Clerk	1,600	do	do	2,000	do	Mar.	2, 1875
J. A. Cryan	July 30, 1869	do	1,400	do	do	2,000	do	Mar.	2, 1875
A. H. Phillips		do	1,100	Redfield	do	2,000	Murphy	Jan.	7, 1871
E. Dayton Ogden	Oct. 3, 1832	Entry clerk	800	Swartwout	do	2,000	Arthur	Mar.	1, 1875
T. Quincy Hill	Oct. 3, 1873	Clerk	1,600	Arthur	do	2,000	do	Mar.	1, 1875
SIXTH DIVISION—INVOICE DEPARTMENT.									
B. F. Wyman	July 5, 1861	Clerk	1,300	Barney	Deputy collector	3,000	Arthur	Sept.	13, 1873
F. E. Farmer	June 9, 1868	do	1,000	Smythe	Chief clerk	2,500	do	May	22, 1876
SEVENTH DIVISION—ORDER DEPARTMENT.									
N. G. Williams	Dec. 6, 1859	Inspector	4 p. d.	Grinnell	Deputy collector	3,000	Arthur	July	21, 1872
George W. Hart	Nov. 29, 1870	Clerk	1,400	Murphy	Chief clerk	2,500	do	Dec.	15, 1873
EIGHTH DIVISION—PUBLIC STORE DEPARTMENT.									
Samuel M. Blatchford	Apr. 21, 1869	Weigher	2,500	Grinnell	Deputy collector	3,000	Arthur	July	7, 1875
James H. Clarke	Nov. 5, 1870	Clerk	1,500	Murphy	Chief clerk	2,500	do	May	22, 1876
James Carle	Aug. 13, 1869	do	1,400	Grinnell	Cigar inspector	2,000	do	Oct.	22, 1873
James Guion	Apr. 18, 1873	do	1,500	Arthur	Clerk	2,000	do	July	2, 1873

B.—*Names of persons in the collector's department of the New York custom-house, &c.*—Continued.

Name.	Date of appointment.	Position then appointed to.	Original salary.	By whom appointed.	Position now held.	Present salary.	By whom promoted to present position.	Date of promotion.
NINTH DIVISION—LAW DEPARTMENT.								
Dudley F. Phelps	July 1, 1872	Deputy collector	$3,000	Arthur	Deputy collector	$3,000		
Isaac D. Balch	July 29, 1869	Clerk	2,200	Grinnell	Chief clerk	2,500	Grinnell	Oct. 4, 1869
H. B. Uhler	Sept. 2, 1867	do	1,500	Smythe	Clerk	2,200	Arthur	Mar. 1, 1875
N. P. Rice	Sept. 13, 1872	do	1,500	Arthur	do	2,000	do	Jan. 1, 1876
Butler G. Noble	Jan. 7, 1871	Weigher	2,500	Murphy	Chief seizure bureau	2,500	do	Dec. 3, 1875
John McMichael	Dec. 1, 1854	Clerk	1,500	Redfield	Clerk	2,000	Smythe	Sept. 11, 1866
Washington Gibbons	Dec. 9, 1863	do	1,200	Barney	do	2,000	Arthur	Mar. 2, 1875
TENTH DIVISION—DEPARTMENT OF STOREKEEPER OF THE PORT.								
John R. Lydecker	Sept. 1, 1854	Clerk	1,100	Redfield	Storekeeper of the port	3,000	Smythe	Mar. 28, 1867
Samuel P. Russell	Jan. 7, 1871	Warehouse superintendent	3,000	Murphy	Warehouse superintend't	3,000		
William Lee Darling	May 25, 1871	Clerk	2,500	do	Clerk	2,500		
J. Irving Burns	May 28, 1873	do	1,600	Arthur	do	2,500	Arthur	July 2, 1873
CORRESPONDENCE BUREAU.								
Joseph Treloar	Oct. 4, 1853	Clerk	260	Bronson	Chief clerk	4,000	Arthur	Aug. 28, 1873
John Jeffrey	May 14, 1855	Messenger	650	Redfield	Clerk	2,000	do	July 2, 1873
James Begen	June 1, 1864	do	420	Barney	do	2,000	do	Mar. 1, 1875
DEPUTY COLLECTORS FOR CURRENT BUSINESS.								
James Tanner	Apr. 12, 1870	Clerk	1,800	Grinnell	Deputy collector	3,000	Arthur	Oct. 1, 1873
Knox McAfee	Sept. 29, 1870	Ganger	2,000	Murphy	do	3,000	do	Nov. 27, 1875
W. F. Warren	Feb. 17, 1871	Clerk	2,000	do	do	3,000	do	Dec. 17, 1873
H. C. Manning	Apr. 29, 1869	Inspector	4 p. d.	Grinnell	do	3,000	do	Dec. 17, 1873

Total number 90, of whom 65 have been promoted by collectors other than the ones who originally appointed them.

Sixty have been promoted by the present collector, of whom fourteen were originally appointed by him, and forty-six by other collectors. Of the sixty so promoted, one was originally appointed by Collector Swartwout, one by Collector Schell, two by Collector Redfield, four by Collector Smythe, one by Collector King, eight by Collector Barney, two by Collector Draper, ten by Collector Murphy, and seventeen by Collector Grinnell.

C.

COLLECTOR'S OFFICE, *May* 1, 1877.

Statement showing the number of persons employed, with the number and percentage of removals, under the administration of the following-named collectors.

Collector.	Term.	Number employed.	Number of removals.	Percentage for term.	Percentage for year.
Schell.....	4 years	690	389	57	14
Barney.....	3 years 6 months .	702	525	75	21
Draper.....	1 year	776	117	15	15
Smythe	3 years	903	830	92	30
Grinnell.....	16 months	892	510	57	38
Murphy	18 months	923	338	36½	24
Arthur.....	5 years 4 months..	1,011	144	14½	2¾

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 26.

PAYMENTS TO INFORMERS FOR FISCAL YEAR ENDING JUNE 30, 1877.

LETTER

FROM

THE SECRETARY OF THE TREASURY

TRANSMITTING

A detailed report of the sums allowed as compensation to officers of customs and informers for the fiscal year ending June 30, 1877.

DECEMBER 14, 1877.—Referred to the Committee of Ways and Means.

JANUARY 11, 1878.—Recommitted to the Committee of Ways and Means and ordered to be printed.

TREASURY DEPARTMENT, *December* 12, 1877.

SIR: I have the honor, in accordance with the provisions of sections 3, 4, and 6 of "An act to amend the customs-revenue laws and to repeal moieties," approved June 22, 1874, to transmit a detailed report of the sums allowed as compensation to officers of the customs and informers for the fiscal year ending June 30, 1877.

Very respectfully,

JOHN SHERMAN,
Secretary.

Hon. SAMUEL J. RANDALL,
Speaker of the House of Representatives.

Statement of compensation allowed to officers of the customs and informers for the fiscal year ending June 30, 1877.

No.	District.	Case.	Date.	Net proceeds.	Collector.	Share.	Surveyor.	Share.	Naval officer.	Share.	Informer.	Share.	Description of the case.
			1876.										
2125	New York	Seizure	July 8	$1,634 68							W. H. Butts	$896 87	3 solitaire diamonds.
2126	Passamaquoddy	do	do	124 20							Ch's. W. McGregor	43 47	750 wool skins.
2127	do	do	July 12	46 56							John L. Pearce	16 29	4 barrels old lead.
2128	Corpus Christi.	do	do	56 85							T. C. Sheldon	19 89	Rugs and linen.
2129	do	do	do	25 00							Matthew Dunn	8 75	Lot of sugar.
2130	do	do	do	20 75							T. C. Sheldon	7 26	460 pounds sugar.
2131	do	do	do	8 48							do	2 96	Lot of sugar.
2132	do	do	do	15 25							do	5 23	Sashes and vermuth.
2133	do	do	do	7 75							do	2 71	Sugar and flour.
2134	do	do	do	17 50							do	6 12	Cards and mescal.
2135	do	do	do	5 00							H. A. Burbank	1 75	Lot of blankets.
2136	do	do	do	57 35							Thos. Lang T. C. Sheldon	20 07	Pecans and knives.
2137	do	do	do	3 25							H. A. Burbank	1 13	Lot of sugar.
2138	do	do	do	270 20							John F. Farrell	94 57	Lot of ponies.
2139	do	do	do	39 50							T. C. Sheldon	13 82	Lot of brandy.
2140	do	do	do	9 00							C. G. Brewster	3 15	Calico and apples.
2141	do	do	do	4 50							H. A. Burbank	1 57	Mescal.
2142	do	do	do	106 15							do	37 75	Rugs.
2143	do	do	do	112 25							Jas. Downing W. G. Holden	39 28	Mescal and hats.
2144	do	do	do	132 75							Jas. Downing	46 46	Mescal and horse.
2145	Baltimore	do	July 24	1 53							Josh. Robinson	53	Silk umbrella.
2146	do	do	do	101 55							W. E. Wilson	35 54	Black silk.
2147	do	do	do	27 26							W. B. Lyons W. H. Richardson.	9 54	Umbrellas.
2148	do	do	do	4 16							S. K. Andrews	1 45	Do.
2149	do	do	do	28 59							W. B. Lyons W. H. Richardson.	10 00	Anchor.
2150	do	do	do	2 01							W. L. Snyder John Lloyd	70	3 boxes cigars.
2151	do	do	do	3 56							G. B. Jeans	1 24	Gin and cigars.
2152	do	do	do	8 71							Thos. H. Webb	3 04	Manila.
2153	do	do	do	11 70							W. D. McAllister W. B. Lyons W. H. Richardson.	4 09	Cigars and liquor.
2154	do	do	do	3 66							Josh. Robinson	1 28	Silk umbrella.
2155	do	do	do	8 32							W. B. Lyons W. H. Richardson.	2 91	1 barrel sugar.
2156	do	do	do	11 22							N. Holland F. Gates	3 92	8 boxes cigars.
2157	do	do	do	40 82							W. B. Lyons W. H. Richardson.	14 28	Sugar.
2158	do	do	do	6 29							W. H. Richardson.	2 20	3 boxes sugar.

2159	....do.....	....do....	....do....	15 10	.....	.....	.....	.....	.....	.....	Lyons & Richardson.	5 28	551 pounds sugar.
2160	....do.....	....do....	....do....	2 10	.....	.....	.....	.....	.....	.....	F. Gates.....	73	Umbrella.
2161	....do.....	....do....	....do....	7 11	.....	.....	.....	.....	.....	.....	Lyons & Richardson.	2 48	Liquor.
2162	....do.....	....do....	....do....	20 81	.....	.....	.....	.....	.....	.....	....do	7 28	Cigars and liquor.
2163	....do.....	....do....	....do....	5 14	.....	.....	.....	.....	.....	.....	Wm. Edwards ...	1 79	Umbrella.
2164	....do.....	....do....	....do....	3 87	.....	.....	.....	.....	.....	.....	W. L. Snyder....	1 35	900 cigars.
2165	....do.....	....do....	....do....	2 23	.....	.....	.....	.....	.....	.....	Lyons & Richardson.	78	350 cigars.
2166	....do.....	....do....	....do....	2 49	.....	.....	.....	.....	.....	.....	S. K. Andrews...	87	3 boxes cigars.
2167	....do	....do....	....do....	3 89	.....	.....	.....	.....	.....	.....	....do	1 36	Silk umbrella.
2168	....do.....	....do....	....do....	68	.....	.....	.....	.....	.....	.....	....do	23	Liquors.
2169	....do.....	....do....	....do....	84	.....	.....	.....	.....	.....	.....	J. Robinson	29	Gin and rum.
2170	....do.....	....do....	....do....	70	.....	.....	.....	.....	.....	.....	John Sommer... / S. K. Andrews...	24	7 bottles gin.
2171	New York	Fine.....	July 26	7,350 00	C. A. Arthur .	$612 50	G. H. Sharpe...	$612 50	A. H. Laflin....	$612 50	.....	.....	Union Adams & Co.
2172	Detroit	....do....	July 29	400 00	Geo. Jerome .	100 00	.....	.....	.....	.....	A. M. Edwards...	100 00	F. Lamb.
2173	Paso del Norte .	Seizure ..	Aug. 12	64 81*	C. Caldwell ..	16 20*	.....	.....	.....	.....	J. W. Clark.....	16 20*	3 barrels mescal.
2174	....do.....	....do....	....do....	126 70*	....do	31 67*	.....	.....	.....	.....	....do	31 68*	Oxen, cart, &c.
2175	San Francisco..	....do....	Aug. 30	12,466 82*	.....	.....	.....	.....	.....	.....	Geo. Rodden et al.	6,223 41*	28 cases opium.
2176	....do.....	....do....	....do....	644 17*	.....	.....	.....	.....	.....	.....	John Collinson...	322 08*	Opium.
2177	....do.....	....do....	....do	2,907 71*	.....	.....	.....	.....	.....	.....	G. W. Towle et al.	1,453 85*	1,000 boxes opium.
2178	New York	Fine.....	....do	7,350 00	.....	.....	.....	.....	.....	.....	B. Howell	1,837 50	Union Adams & Co.
2179	New Orleans...	Seizure ..	Sept. 14	2 73	.....	.....	.....	.....	.....	.....	Jas. Riley	1 25	Ale.
2180	....do.....	....do....	....do....	1 55	.....	.....	.....	.....	.....	.....	J. Pemberton ...	54	Cheese.
2181	Vermont.....	....do....	Sept. 15	17 01	.....	.....	.....	.....	.....	.....	F. H. Raud	5 95	Dress-silk.
2182	....do.....	....do....	....do....	11 23*	.....	.....	.....	.....	.....	.....	L. H. Smith.....	3 93	Team and liquor.
2183	....do.....	....do....	....do....	10 21	.....	.....	.....	.....	.....	.....	....do	3 57	Do.
2184	....do.....	....do....	....do....	11 47	.....	.....	.....	.....	.....	.....	Wm. Walker	4 01	Cloth, &c.
2185	....do.....	....do....	....do....	100 13	.....	.....	.....	.....	.....	.....	C. M. Booth.....	35 04	Gold chain, &c.
2186	....do.....	....do....	....do....	84 85	.....	.....	.....	.....	.....	.....	H. B. Pettengill ..	29 69	Team and liquor.
2187	....do.....	....do....	....do....	49 47	.....	.....	.....	.....	.....	.....	J. A. Fitch.....	17 31	Do.
2188	....do.....	....do....	....do....	10 16	.....	.....	.....	.....	.....	.....	S. J. Bean	3 55	Cloth and liquor.
2189	New York	....do....	Sept. 16	137 34	.....	.....	.....	.....	.....	.....	T. J. Donoghue et al	48 06	Lace.
2190	....do.....	....do....	....do....	16 60	.....	.....	.....	.....	.....	.....	Gennie Ferris....	5 81	Do.
2191	....do.....	....do....	....do....	2 52	.....	.....	.....	.....	.....	.....	F. Gay	88	Olive oil.
2192	....do.....	....do....	....do....	2 38	.....	.....	.....	.....	.....	.....	A. L. Masurier ...	83	Gun case.
2193	....do.....	....do....	....do....	39 65	.....	.....	.....	.....	.....	.....	W. L. Judd.....	13 87	1,500 cigars.
2194	....do.....	....do....	....do....	8 28	.....	.....	.....	.....	.....	.....	A. L. Masurier et al	2 89	Human hair.
2195	....do.....	....do....	....do....	43 08	.....	.....	.....	.....	.....	.....	C. F. Kane et al ..	15 07	2,750 cigars.
2196	....do.....	....do....	Sept. 18	59 03	.....	.....	.....	.....	.....	.....	McCort & Hagan.	20 66	23 silk umbrellas.
2197	....do.....	....do....	....do....	13 68	.....	.....	.....	.....	.....	.....	Donaghue & Co..	4 78	20 yards silk.
2198	....do.....	....do....	....do....	96 82	.....	.....	.....	.....	.....	.....	W. L. Judd.....	33 88	3,250 cigars.
2199	....do.....	....do....	....do....	50 90	.....	.....	.....	.....	.....	.....	C. F. Kane et al ..	17 81	1,800 cigars.
2200	....do.....	....do....	....do....	47 50	.....	.....	.....	.....	.....	.....	Mayer & Waldo..	16 62	22 yards silk.
2201	....do.....	....do....	....do....	64 18	.....	.....	.....	.....	.....	.....	....do	22 46	15⅞ yards silk.
2202	....do.....	....do....	....do....	5 69	.....	.....	.....	.....	.....	.....	McCort & Hagan.	1 99	Rum.
2203	....do.....	....do....	....do....	142 62	.....	.....	.....	.....	.....	.....	Mayer & Waldo..	49 91	57½ yards silk.
2204	....do.....	....do....	....do....	29 27	.....	.....	.....	.....	.....	.....	Hagan & McCort.	10 24	800 cigars.
2205	....do.....	....do....	....do....	9 44	.....	.....	.....	.....	.....	.....	B. S. Steen et al..	3 30	Kid gloves.

* Coin.

Statement of compensation allowed to officers of the customs and informers, &c.—Continued.

No.	District.	Case.	Date.	Net proceeds.	Collector.	Share.	Surveyor.	Share.	Naval officer.	Share.	Informer.	Share.	Description of the case.
			1876.										
2206	New York	Seizure	Sept. 18	$4 81							E. Ney	$1 68	2 pieces galloon.
2207	do	do	do	36 82							Waldo & Chapman	12 88	86 meerschaum pipes.
2208	do	do	Sept. 19	15 65							G. Ferris	5 47	15 yards silk.
2209	do	do	do	2 40							G. H. Shepard	84	Coal.
2210	do	do	do	52 18							G. Ferris	18 26	Lace, &c.
2211	do	do	do	1 10							A. Mennerly	38	525 cigars.
2212	do	do	do	19 44							McGinty & Co	6 80	5,878 balloons.
2213	do	do	do	13 04							G. W. Weed et al	4 56	6 boxes cigars.
2214	do	do	do	71 75							C. F. Kane	25 18	$40\frac{1}{20}$ boxes cigars.
2215	do	do	do	1 79							McCort et al	62	26 gallons rum.
2216	do	do	do	42 45							Judd & Co	14 85	$14\frac{1}{20}$ boxes cigars.
2217	do	do	do	55 91							Waldo & Mayer	19 56	Handkerchiefs.
2218	do	do	do	78 87							C. F. Howe et al	27 60	$30\frac{3}{20}$ boxes cigars.
2219	do	do	do	22 62							Geo. Klinck	7 91	$18\frac{1}{20}$ boxes cigars.
2220	do	do	do	22 82							Waldo & Mayer	7 98	Kid gloves.
2221	do	do	do	6 18							McGinty & Co	2 16	760 balloons.
2222	do	do	do	81 95							Kane & Judd	24 68	22 boxes cigars.
2223	San Francisco	do	Sept. 21	25 61							T. M. Parker et al	8 96	91 pounds tobacco.
2224	do	do	do	7 45							J. McMullen	2 60	86 pounds tobacco.
2225	do	do	do	31 45							T. M. Parker et al	11 00	70 pounds tobacco.
2226	do	do	do	7 99							T. O'Connell	2 29	Cord and opium.
2227	do	do	do	76 98							Rodden & Towle	26 94	Opium and handk'fs.
2228	do	do	do	32 06							J. B. Leaman et al	11 22	119 pounds tobacco.
2229	do	do	do	21 76							Geo. Rodden et al	7 61	55 pounds tobacco.
2230	do	do	do	1 91							G. Cullen	66	22 pounds tobacco.
2231	do	do	do	7 70							J. D. Brower	2 69	20 pounds tobacco.
2232	do	do	do	1 53							T. A. Moran	52	26 pounds tobacco.
2233	do	do	do	6 84							McMullen et al	2 39	19 pounds tobacco.
2234	do	do	do	2 03							B. J. McGee	71	29 pounds tobacco.
2235	do	do	do	14 79							J. S. Barman	5 17	Clothing.
2236	do	do	Sept. 22	7 80							E. H. Burrill	2 73	49 pounds tobacco.
2237	do	do	do	1 61							Thomas Duff	56	16 pounds tobacco.
2238	do	do	do	2 83							G. Cullen	99	26 pounds tobacco.
2239	do	do	do	5 80							G. A. Anderson	2 03	42 pounds tobacco.
2240	do	do	do	5 14							C. J. Raney et al	1 79	21 pounds tobacco.
2241	do	do	do	6 61							E. H. Burrill et al	2 31	80 pounds tobacco.
2242	do	do	do	4 63							S. Jewett	1 62	38 pounds tobacco.
2243	do	do	do	1 72							G. Cullen	60	17 pounds tobacco.
2244	do	do	do	86							J. Edmundson	30	10 pounds tobacco.
2245	do	do	do	25 72							Geo. Rodden et al	9 00	54 pounds tobacco.
2246	do	do	do	6 30							Rodden & Towle	2 20	30 pounds tobacco.
2247	do	do	do	2 06							J. B. Leaman	71	Cotton cloth.
2248	do	do	do	27 58							J. S. Barman	9 65	9 pounds opium.
2249	do	do	do	4 20							J. D. Brower	1 47	30 pounds tobacco.

2250	...do	...do	...do	9 18							S. Folger et al	3 21	63 pounds tobacco.
2251	...do	...do	...do	69 59							Geo. Rodden et al	24 35	193 pounds tobacco.
2252	...do	...do	...do	10 01							E. H. Burrell	3 50	52 pounds tobacco.
2253	Pearl River	Fines	...do	493 50	Caleb Lindsay	123 37					E. F. Jennings	123 38	Schooner Elizabeth.
2254	...do	Seizure	...do	218 50							...do	54 63	Do.
2255	San Francisco	...do	Sept. 23	3 13							E. H. Burrell	1 09	38 pounds tobacco.
2256	...do	...do	...do	24							J. D. Brower	08	213 pounds tobacco.
2257	...do	...do	...do	2 45							Raney & Cullen	85	27 pounds tobacco.
2258	...do	...do	...do	57 82							Geo. Rodden et al	20 23	54 pounds tobacco.
2259	...do	...do	...do	3 77							S. Folger	1 31	42 pounds tobacco.
2260	...do	...do	...do	5 85							L. C. Loderback	2 04	3 guts opium.
2261	...do	...do	...do	44 46							Geo. Rodden et al	15 56	Black silk.
2262	...do	...do	...do	1 07							J. Buckley	37	32 pounds tobacco.
2263	...do	...do	...do	1 35							S. Jewett	47	36 pounds tobacco.
2264	...do	...do	...do	73							D. G. Grant	25	31 pounds tobacco.
2265	...do	...do	...do	89							Raney & Cullen	31	45 pounds tobacco.
2266	...do	...do	...do	1 30							J. D. Brower	45	25 pounds tobacco.
2267	...do	...do	...do	21 51							Geo. Rodden et al	7 52	189 pounds tobacco.
2268	...do	...do	...do	1 57							James Carter	54	25 pounds tobacco.
2269	...do	...do	...do	8 42							T. A. Moran	2 94	36 pounds tobacco.
2270	...do	...do	...do	2 83							C. J. Raney	99	39 pounds tobacco.
2271	...do	...do	...do	25 48							G. Cullen	8 91	27 pounds tobacco.
2272	...do	...do	...do	6 15							S. Jewett et al	2 15	78 pounds tobacco.
2273	...do	...do	...do	5 22							J. Buckley	1 82	36 pounds tobacco.
2274	...do	...do	...do	23 86							Geo. Rodden et al	8 35	141 pounds tobacco.
2275	...do	...do	...do	13 27							...do	4 64	5 guts opium.
2276	...do	...do	...do	16 72							...do	5 85	36 pounds tobacco.
2277	...do	...do	...do	192 09							...do	67 23	3 packages opium.
2278	Bangor	...do	Sept. 26	80 00							S. F. Walker	28 00	E. Corson.
2280	Buffalo Creek	...do	Sept. 27	100 67							M. Stork et al	35 23	360 yards silk.
2281	New York	Fines	Oct. 17	14, 510 00							H. Henseler	3, 627 50	Anthony Oechs.
2282	Boston	...do	Oct. 25	985 55							F. E. Sanderson	246 38	Morrill & Stevens.
2283	...do	Seizure	...do	7 04							C. E. Rohr	2 46	M. Laudergon.
2284	New York	...do	Nov. 1	230 10							F. Mayer et al	80 53	J. Javonatte.
2285	...do	...do	...do	36 94							H. Waldo et al	12 92	J. Thompson.
2286	Niagara	...do	Nov. 16	34 50							T. J. Walker	12 07	Brown mare, &c.
2287	...do	...do	...do	42 80							W. Fleming	14 98	Mr. Johnson.
2288	Baltimore	...do	Nov. 23	3 20							Wm. Edwards	1 12	A. Mukowski.
2289	San Francisco	...do	Dec. 14	130 80							T. M. Parker et al	45 78	218 pounds tobacco.
2290	...do	...do	...do	76 66							...do	26 83	72 pounds opium.
2291	...do	...do	...do	173 93							...do	60 87	Opium.
2292	...do	...do	Dec. 15	25 76							...do	9 01	18 pounds tobacco.
2293	...do	...do	...do	5 73							D. G. Grant	2 00	28 pounds tobacco.
2294	...do	...do	...do	1 32							J. Buckley	46	20 pounds tobacco.
2295	...do	...do	...do	19 02							T. M. Parker et al	6 65	144 pounds tobacco.
2296	...do	...do	...do	36 20							Geo. Rodden et al	12 67	Coat and pants.
2297	...do	...do	...do	2 86							J. Buckley	1 00	21 pounds tobacco.
2298	...do	...do	Dec. 16	15 90							G. E. Sherwood et al.	5 56	31 pounds tobacco.
2299	...do	...do	...do	5 72							S. Jewett	2 00	Silk sashes.
2300	...do	...do	...do	7 63							J. S. Barman	2 67	14 taels opium.
2301	...do	...do	...do	80 57							T. M. Parker et al	28 19	195 pounds tobacco.

Statement of compensation allowed to officers of the customs and informers, &c.—Continued.

No.	District.	Case.	Date.	Net proceeds.	Collector.	Share.	Surveyor.	Share.	Naval officer.	Share.	Informer.	Share.	Description of the case.
			1876.										
2302	San Francisco.	Seizure..	Dec. 16	$6 06							T. A. Moran et al.	$2 12	30 pounds tobacco.
2303	....do.....	....do....	....do....	24 20							T. M. Parker et al	8 47	284 pounds tobacco.
2304	....do.....	....do....	....do....	9 27							T. A. Moran et al.	3 24	26 pounds tobacco.
2305	....do.....	....do	....do....	38 49							Geo. Rodden et al.	13 47	Silk goods.
2306	....do.....	....do....	....do....	18 92							C. J. Raney et al .	6 62	143 pounds tobacco.
2307	....do	....do....	....do....	24 79							S. Jewett et al	8 67	126 pounds tobacco.
2308	....do.....	....do....	Dec. 18	48 78							T. M. Parker et al	17 07	171 pounds tobacco.
2309	....do.....	....do....	....do....	16 88							F. Bassett et al...	5 90	Handkerchiefs.
2310	....do.....	....do....	....do....	12 02							J. McMullen	4 20	Do.
2311	....do.....	....do....	....do....	6 74							C. J. Raney et al	2 35	69 pounds tobacco.
2312	....do.....	....do....	....do....	35 98							Geo. Rodden et al	12 59	Cord, &c.
2313	....do	....do....	....do....	17 89							F. Basset et al....	6 26	Sashes.
2314	....do.....	....do....	....do....	7 36							C. J. Raney et al..	2 57	72 pounds tobacco.
2315	....do.....	....do....	....do....	33 89							T. O'Connell.....	11 86	Opium.
2316	....do.....	....do....	....do....	4 78							C. J. Raney	1 67	Silk cord.
2317	....do.....	....do....	....do....	7 81							T. M. Parker et al	2 73	41 pounds tobacco.
2318	....do.....	....do....	....do....	13 74							J. N. Carter.....	4 80	38 pounds tobacco.
			1877.										
2319	New York.....	....do....	Jan. 4	78 92							C. F. Kane et al..	27 62	4,500 cigars.
2320	....do.....	....do....	....do....	117 45							J. S. Chalker et al	41 10	9,350 cigars.
2321	....do.....	....do....	... do....	303 06							Geo. Klinck.....	106 07	Silk.
2322	....do.....	....do....	....do....	66 76							F. E. Howe et al .	23 36	1 trunk of silk.
2323	....do.....	....do....	....do....	1,136 95							Geo. Klinck	397 93	A. Grudot.
2324	....do.....	....do....	....do....	445 05							....do	155 76	H. E. Soper.
2325	....do.....	....do....	....do....	299 52							C. F. Kane	104 83	Silk goods.
2326	...do.....	....do....	Jan. 5	204 28							W. L. Judd et al	71 49	5,950 cigars.
2327	....do.....	....do....	....do....	243 75							P. F. Hagan et al.	85 31	4,000 cigars.
2328	....do.....	...do....	....do....	965 98	C. A. Arthur.	$80 50	G. H. Sharpe ..	$80 50	A. H. Laflin ...	$80 50	L. J. Kirk.....	241 49	5 packages shawls.
2329	....do.....	....do....	....do....	250 00							J. S. Chalker	87 50	Diamond cross.
2330	....do.....	....do....	....do....	193 99							Geo. Klinck et al.	67 89	37 packages lace.
2331	....do.....	....do...	....do....	97 27							F. E. Howe et al .	34 04	1,162 bdls. cigarettes.
2332	....do.....	....do....	....do....	5 81							C. N. Brackett et al	2 03	Fans.
2333	....do.....	....do....	....do....	51 99							P. F. Hagan et al.	18 19	12 barrels honey.
2334	...do.....	....do....	....do....	244 75							J. C. Paulding et al	85 66	Merchandise.
2335	....do.....	....do....	....do....	44 92							M. Quigley et al..	15 72	Cigars, &c.
2336	....do.....	....do....	....do....	413 84							P. F. Hagan et al.	144 84	13,650 cigars.
2337	Troy.....	Fines ...	Jan. 12	50 00			E. Halm.....	12 50			Contested.....	.....	Canal-bt. W. Underhill.
2338	....do.....	....do....	....do....	50 00			....do	12 50			....do	.....	Canal-bt. A. C. Hicks.
2339	Philadelphia...	Seizure..	Feb. 1	606 80							J. S. Chalker et al	212 38	Silk.
2340	Vermont	...do ...	Feb. 6	6 25							F. H. Rand	2 18	A. Aldrich.
2341	....do.....	....do....	....do....	3 25							S. Story, jr.....	1 14	Peter Nicholson.
2342	....do.....	....do....	....do....	5 54							Wm. Walker.....	1 93	Wm. Bean.
2343	....do.....	....do....	....do....	6 96							N. L. Hungerford	2 43	T. Hardy.
2344	....do.....	....do....	....do....	106 27							John Pongemey..	37 19	J. G. Smith.

2345	....do.....	....do....	....do....	102	70	.....	.....	.....	.....	.....	.....	H. B. Pettengill..	35	94	Chas. Buck.
2346	Brazos	....do....	Feb. 9	53	96	.....	.....	.....	.....	.....	.....	T. J. Handy et al	18	88	Horses.
2347	....do.....	....do....	....do....	3	96	.....	.....	.....	.....	.....	.....	L. Munoz et al ...	1	38	4 horses.
2348	....do.....	....do....	....do....	13	97	.....	.....	.....	.....	.....	.....	Wm. Devine et al	4	88	3 horses.
2349	....do.....	....do....	....do....	11	76	.....	.....	.....	.....	.....	.....	T. J. Handy	4	11	Do.
2350	....do.....	....do	....do....	11	96	.....	.....	.....	.....	.....	.....	Wm. Devine et al	4	18	2 horses.
2351	....do.....	...do....	....do....	3	36	.....	.....	.....	.....	.....	.....	N. Zuniga.....	1	17	Cloth, &c.
2352	....do.....	...do....	....do....	2	31	.....	.....	.....	.....	.....	.....	....do		80	3 gallons mescal.
2353	....do	....do....	....do....	1	22	.....	.....	.....	.....	.....	.....	J. Trebino		43	51 yards cotton.
2354	....do.....	...do....	Feb. 8		52	.....	.....	.....	.....	.....	.....	....do		18	56 pounds sugar.
2355	....do.....	...do....	....do....		96	.....	.....	.....	.....	.....	.....	...do		33	Oranges and sugar.
2	56	....do.....	...do....	....do....	14	95	.....	.....	.....	.....	.....	.....	N. Zuniga.....	5	23	Sugar and tobacco.
2357	....do.....	...do....	....do....		88	.....	.....	.....	.....	.....	.....	J. Trebino		30	64 pounds sugar.
2358	....do.....	...do....	....do....	2	65	.....	.....	.....	.....	.....	.....	N. Zuniga.....		92	Mescal and brandy.
2359	....do.....	...do....	....do....	5	45	.....	.....	.....	.....	.....	.....	....do	1	90	Brandy, &c.
2360	....do.....	...do....	....do....	1	26	.....	.....	.....	.....	.....	.....	J. Trebino		44	Sugar and tobacco.
2361	....do.....	...do....	....do....		77	.....	.....	.....	.....	.....	.....	...do		26	Cotton, &c.
2362	....do.....	...do....	....do....	2	51	.....	.....	.....	.....	.....	.....	Wm. Devine		88	Overshoes, &c.
2363	....do.....	...do....	....do....		77	.....	.....	.....	.....	.....	.....	J. Trebino		26	Sugar, &c.
2364	....do.....	...do....	....do....	1	42	.....	.....	.....	.....	.....	.....	... do		49	Do.
2365	....do.....	...do....	....do....	1	58	.....	.....	.....	.....	.....	.....	... do		55	Do.
2366	....do.....	....do....	....do....	6	06	.....	.....	.....	.....	.....	.....	N. Zuniga	2	12	Brandy.
2367	....do.....	...do....	....do....		78	.....	.....	.....	.....	.....	.....	J. Trebino		27	Sugar, &c.
2368	....do.....	...do....	....do....		46	.....	.....	.....	.....	.....	.....	....do		16	50 pounds sugar.
2369	....do.....	...do....	....do....		84	.....	.....	.....	.....	.....	.....	N. Zuniga		29	6 cans pepper.
2370	....do.....	....do....	....do....	1	44	.....	.....	.....	.....	.....	.....	G. H. Watson ...		50	Cordial.
2371	....do.....	...do....	....do....	3	71	.....	.....	.....	.....	.....	.....	J. McGovern.....	1	29	Handkerchiefs.
2372	....do.....	...do....	....do....	2	70	.....	.....	.....	.....	.....	.....	....do		94	Glassware.
2373	....do.....	...do....	....do....		59	.....	.....	.....	.....	.....	.....	....do		20	Mescal, &c.
2374	....do.....	...do....	....do....	9	63	.....	.....	.....	.....	.....	.....	A. Dean et al	3	37	Cotton bags.
2375	....do.....	...do....	....do....		55	.....	.....	.....	.....	.....	.....	J. Trebino.....		19	59 pounds sugar.
2376	....do.....	....do....	....do....	11	16	.....	.....	.....	.....	.....	.....	N. Zuniga	3	90	Champaigne.
2377	....do.....	...do....	....do....		50	.....	.....	.....	.....	.....	.....	J. Trebino.....		17	Sugar, &c.
2378	....do.....	...do....	....do....	1	36	.....	.....	.....	.....	.....	.....	....do		47	Do.
2379	....do.....	...do....	....do....	3	14	.....	.....	.....	.....	.....	.....	N. Zuniga	1	09	Kirschwasser.
2380	....do.....	...do....	....do...		81	.....	.....	.....	.....	.....	.....	J. Trebino		28	Sugar, &c.
2381	....do.....	....do....	....do....	2	45	.....	.....	.....	.....	.....	.....	....do		85	Onions and pepper.
2382	....do.....	...do....	Feb. 9		52	.....	.....	.....	.....	.....	.....	....do		18	56 pounds sugar.
2383	....do.....	...do....	....do....		59	.....	.....	.....	.....	.....	.....	....do		20	65 pounds sugar.
2384	....do.....	....do....	....do....	2	63	.....	.....	.....	.....	.....	.....	....do		92	Pepper and beans.
2385	....do.....	....do....	....do....		51	.....	.....	.....	.....	.....	.....	....do		17	65 pounds sugar.
2386	....do.....	....do....	....do....		76	.....	.....	.....	.....	.....	.....	....do		26	Oranges and sugar.
2387	....do.....	.. do....	....do....	1	01	.....	.....	.....	.....	.....	.....	N. Zuniga		35	56 pounds sugar.
2388	....do.....	....do....	....do....	1	15	.....	.....	.....	.....	.....	.....	....do		40	Sugar and mescal.
2389	....do.....	.. do....	....do....		60	.....	.....	.....	.....	.....	.....	J. Trebino.....		21	33 pounds sugar.
2390	....do.....	....do....	....do....		82	.....	.....	.....	.....	.....	.....	...do		28	Sugar and mescal.
2391	....do.....	....do....	....do....	4	55	.....	.....	.....	.....	.....	.....	...do	1	59	Chocolate and sugar.
2392	....do.....	....do....	....do....	1	50	.....	.....	.....	.....	.....	.....	N. Zuniga..... ..		52	85 pounds sugar.
2393	....do.....	....do....	....do....	2	34	.....	.....	.....	.....	.....	.....	J. Trebino.....		81	Sugar and pepper.
2394	....do.....	....do....	....do....	3	95	.....	.....	.....	.....	.....	.....	L. Munoz	1	38	Looking-glass.
2395	....do.....	....do....	....do....	42	95	.....	.....	.....	.....	.....	.....	A. Dean et al	15	03	Saddle, &c.
2396	....do.....	....do....	....do....	6	85	.....	.....	.....	.....	.....	.....	....do	2	39	Horse.

Statement of compensation allowed to officers of the customs and informers, &c.—Continued.

No.	District.	Case.	Date.	Net proceeds.	Collector.	Share.	Surveyor.	Share.	Naval officer.	Share.	Informer.	Share.	Description of the case.
			1877.										
2397	Brazos	Seizure	Feb. 9	$5 14							J. O. Thompson	$1 79	2 horses.
2398	San Francisco	do	Feb. 13	60 82							Geo. Rodden et al	21 28	105 pounds tobacco.
2399	do	do	do	37 93							do	13 27	199 pounds tobacco.
2400	do	do	do	12 25							J. Buckley	4 28	71 pounds tobacco.
2401	do	do	do	85							B. J. McGee	29	27 pounds tobacco.
2402	do	do	do	58 47							Geo. Rodden et al	20 46	26 pounds hair.
2403	do	do	do	15 08							J. B. Leaman et al	5 27	Handkerchiefs.
2404	do	do	do	8 10							C. J. Raney	2 83	Satin and sashes.
2405	do	do	do	9 28							J. Cullen	3 24	Opium.
2406	do	do	do	17 31							Geo. Rodden et al	6 05	14 pounds tobacco.
2407	do	do	do	7 98							do	2 79	34 pounds tobacco.
2408	do	do	do	5 67							do	1 98	35 pounds tobacco.
2409	do	do	do	45 05							do	15 76	85 pounds tobacco.
2410	do	do	do	4 98							C. O'Donnell	1 74	5 boxes opium.
2411	do	do	do	7 44							O. M. Marsh	2 60	4 boxes opium.
2412	do	do	do	1 53							T. A. Moran	53	Sashes.
2413	do	do	do	14 99							Geo. Rodden et al	5 24	96 pounds tobacco.
2414	do	do	do	2 77							C. O'Donnell	96	11 pounds tobacco.
2415	do	do	do	31 59							Geo. Rodden et al	11 05	3 packages opium.
2416	do	do	do	17 31							J. Buckley et al	6 05	Buttons, &c.
2417	do	do	do	17 28							T. Sawyer	6 04	3 guts opium.
2418	do	do	do	2 00							C. J. Raney	70	14 pounds tobacco.
2419	do	do	do	11, 772 92							T. M. Parker et al	4, 120 52	Silk, opium, &c.
2420	New York	Fine	do	2, 685 45							Maurice Eller	875 00	J. B. Mortuez.
2421	Genesee	Seizure	Feb. 15	68 46							S. W. Spaulding	17 11	6 coats, &c.
2422	do	Fine	do	300 00							do	75 00	S. Bennett.
2423	Philadelphia	Seizure	Feb. 20	99 60							C. E. Tucker	34 86	75 yards silk.
2424	do	do	do	1 96							C. Redheffer	62	24 packages tobacco.
2425	do	do	do	51 46							J. S. Chalker et al	18 01	20 silk umbrellas.
2426	do	do	do	3 73							do	1 30	1½ dozen neck-ties.
2427	do	do	do	14 84							do	5 19	14 silk handkerchiefs.
2428	do	do	do	17 28							do	6 04	25 pairs kid gloves.
2429	do	do	do	34 46							do	12 06	25 yards silk.
2430	do	do	do	1 74							C. Redheffer	60	2 cases wine.
2431	do	do	do	13 34							do	4 66	6 silk umbrellas.
2432	do	do	do	8 83							do	3 09	5 yards velvet.
2433	do	do	do	30 07	S. I. Comly	$2 51	E. O. Goodrich	$2 50	J. Hiestand	$2 50	do	7 52	2 cases brandy.
2434	do	do	do	78 95	do	6 58	do	6 58	do	6 57	do	19 74	1,150 cigars.
2435	Oswegatchie	do	Feb. 22	5 00							A. Richardson	1 75	Dress-goods.
2436	do	do	do	7 45							E. Burns	2 60	Butter, &c.
2437	do	do	do	10 76							do	3 76	Dry goods.
2438	do	do	do	17 00							E. W. Thomas	5 95	Boat and apples.
2439	do	do	do	40 52							do	14 18	S. Hoag.
2440	do	do	do	432 69							do	151 44	Sheep pelts and butter.
2441	do	do	do	177 48							do	62 11	Sheep pelts and wool.

2442	Bangor	Fine	Feb. 27	100 00							J. P. Pratt	25 00	J. Saunders.
2443	....do	Seizure	....do	36 25							A. McClain	12 68	Horse, &c.
2444	....do	....do	....do	52 50							....do	18 37	Do.
2445	....do	....do	....do	93 00							....do	32 55	Do.
2446	Philadelphia	....do	Feb. 28	32 14							J. S. Chalker et al	11 24	12 silk umbrellas.
2447	Aroostook	....do	Mar. 3	38 50							J. R. Weed	13 47	2 horses, &c.
2448	....do	....do	....do	80 00							....do	28 00	Horse.
2449	....do	....do	....do	16 00							....do	5 60	1 cow.
2450	....do	....do	....do	54 60							....do	19 11	Horse, &c.
2451	....do	....do	....do	29 40							S. F. Berry	10 29	3 cows.
2452	....do	....do	....do	38 75							....do	13 56	Horse, &c.
2453	Buffalo Creek	....do	....do	164 11	R. W. Daniels	41 03					C. A. Sonmer	41 02	1 orchestrion.
2454	Portsmouth	Fine	....do	100 00	A. F. Howard	25 00					O. F. Stacy	25 00	Fred. Hibbard.
2455	Niagara	Seizure	Mar. 20	12 00							T. J. Walker, jr	4 20	Clothing.
2456	....do	....do	....do	40 25							A. T. Cudaback	14 08	15 yards silk.
2457	....do	....do	....do	18 43							....do	6 45	8½ yards velvet.
2458	....do	....do	....do	7 97							M. A. Hull	2 78	15 yards dress-goods.
2459	....do	....do	....do	36 57							R. A. Hawley	12 79	20½ yards silk.
2460	....do	....do	....do	80							T. J. Walker, jr	28	Clothing.
2461	....do	....do	....do	6 40							A. T. Cudaback	2 24	2 velvet sacques.
2462	....do	....do	....do	27 60							Wm. Flemming	9 66	26 yards silk.
2463	....do	....do	....do	12 50							T. J. Walker, jr	4 37	Buggy.
2464	....do	....do	....do	11 10							G. W. Whitehead	3 88	Clothing.
2465	....do	....do	....do	21 07							A. T. Cudaback	7 37	3 gold watches.
2466	....do	....do	....do	22 63							T. J. Walker, jr	7 92	Cashmere and silk.
2467	....do	....do	....do	9 35							A. T. Cudaback	3 27	23 yards grenadine.
2468	....do	....do	....do	50							....do	17	Clothing.
2469	....do	....do	....do	5 64							J. Crysler	1 97	1 case gin.
2470	....do	....do	....do	3 25							Wm. Flemming	1 13	Shoes.
2471	....do	....do	....do	49 63							A. T. Cudaback	17 37	Sheeting.
2472	....do	....do	....do	19 65							D. P. Rood	6 87	25 yards silk.
2473	....do	....do	....do	8 90							T. J. Walker, jr	3 11	3 cases drugs.
2474	....do	....do	....do	1,022 89							Wm. Flemming	358 01	L. P. Gillett.
2475	....do	....do	....do	3 09							T. J. Walker, jr	1 08	4 cases drugs.
2476	....do	....do	....do	7 20							R. A. Hawley	2 52	24 yards silk.
2477	....do	....do	....do	65							T. J. Walker, jr	22	7 yards cashmere.
2478	....do	....do	....do	3 90							A. T. Cudaback	1 36	17 yards silk.
2479	....do	....do	....do	15 30							F. E. Lawson	5 35	20¼ yards silk.
2480	....do	....do	....do	14 58							C. V. Lackor	5 10	30 yards silk.
2481	Passamaquoddy	....do	Mar. 23	27 55							P. A. Martin	9 64	Team and gin.
2482	....do	....do	....do	37 13							R. B. Lowell	12 99	Team and groceries.
2483	....do	....do	....do	83 50							P. A. Martin	29 22	Team and liquors.
2484	....do	....do	....do	107 25							A. Towers	37 53	Team and dry goods.
2485	Philadelphia	....do	Mar. 28	22 44	S. I. Comly	1 87	E. O. Goodrich	1 87	J. E. Hiestand	1 87	C. E. Tucker	5 61	450 cigars.
2486	....do	....do	....do	28 10	....do	2 34	....do	2 34	....do	2 35	....do	7 02	6 cases kimmel.
2487	....do	....do	....do	7 30	....do	61	....do	61	....do	61	....do	1 82	1 case gin.
2488	New York	....do	Mar. 31	32 26							J. L. Chapmanetal	11 29	Silk.
2489	....do	....do	....do	560 51	C. A. Arthur	46 71	A. B. Cornell	46 71	M. H. Grinnell	46 70	F. Mayer	140 13	Gold watch.
2490	Portland	....do	Apr. 12	20 22							J. C. Sterling	7 07	Sugar, &c.
2491	....do	....do	....do	1 46							J. W. Adams	51	Liquors.
2492	....do	....do	....do	1 76							W. H. Woodbury	61	Do.
2493	....do	....do	....do	35							J. C. Sterling	12	3 bottles brandy.

Statement of compensation allowed to officers of the customs and informers, &c.—Continued.

No.	District.	Case.	Date.	Net proceeds.	Collector.	Share.	Surveyor.	Share.	Naval officer.	Share.	Informer.	Share.	Description of the case.
			1877.										
2494	Portland	Seizure	Apr. 12	$0 94							J. C. Sterling	$0 32	3 bottles gin.
2495	Detroit	do	Apr. 13	6 66							John Higgs	2 33	C. F. Hanscom.
2496	Vermont	do	Apr. 17	107 98							L. H. Smith	37 79	600 pounds butter.
2497	do	do	do	16 51							do	5 77	100 pounds butter.
2498	do	do	do	134 54							C. M. Booth	47 08	90 yards silk.
2499	do	do	do	7 33							R. McDugall	2 53	Team and liquors.
2500	do	do	do	121 46							H. B. Pettingill	42 51	Butter.
2501	Brazos	do	Apr. 19	18 44							T. J. Handy et al	6 45	4 horses.
2502	do	do	do	50 10							Wm. Divine	17 53	20 dozen ox-hides.
2503	do	do	do	3 88							J. O. Thompson et al.	1 35	2 horses.
2504	do	do	do	4 70							do	1 64	1 horse.
2505	do	do	do	2 22							A. Deane	78	Rope.
2506	do	do	do	17 28							T. J. Handy et al	6 04	Cart.
2507	do	do	do	2 32							J. Trebino	81	138 pounds sugar.
2508	do	do	do	54							do	18	35 pounds sugar.
2509	do	do	do	7 97							T. J. Handy	2 78	39½ yards domestic.
2510	do	do	do	46							J. Trebino	16	30 pounds sugar.
2511	do	do	do	49							do	17	6 pounds tobacco.
2512	do	do	do	2 91							do	1 01	10 pairs stockings.
2513	do	do	do	2 33							do	81	300 onions, &c.
2514	do	do	do	82							E. Guzman	28	32 onions, &c.
2515	do	do	do	1 45							J. Torbino	50	11½ doz. handkerchiefs.
2516	do	do	do	1 86							do	68	11 pounds red pepper.
2517	do	do	do	1 83							E. Guzman	64	Tobacco.
2518	do	do	do	45							do	15	43 pounds sugar.
2519	do	do	do	1 94							do	67	74 pounds sugar.
2520	do	do	do	1 10							J. Torbino et al	38	70 pounds sugar.
2521	do	do	do	10 53							do	3 68	23 bottles brandy.
2522	do	do	do	2 27							N. Zuniga	79	Combs, &c.
2523	do	do	do	1 48							J. Torbino	51	Onions.
2524	do	do	do	7 14							N. Zunigar	2 49	12 bottles brandy.
2525	do	do	do	5 96							W. Divine et al	1 08	Thread.
2526	do	do	do	1 73							do	60	Mescal.
2527	do	do	do	2 00							J.P.O'Shaughnessy	70	6 gallons brandy.
2528	do	do	do	3 26							E. Cuoeynghame	1 14	13½ pounds chocolate.
2529	do	do	do	1 70							do	59	22 pounds chocolate.
2530	do	do	do	65							W. Devine	22	23½ yards calico.
2531	do	do	do	8 61							do	3 01	115 pounds wool.
2532	do	do	do	8 54							J. McGovern	2 98	7 yards linen.
2533	do	do	do	1 90							A. Dean et al	66	1 horse.
2534	do	do	do	7 70							do	2 69	3 horses.
2535	do	do	do	3 87							G.W. Lowe et al	1 35	5 gallons mescal.
2536	do	do	do	2 71							J. Dunn et al	94	3½ gallons mescal.

2537	....do.....	....do....	....do....	22 28	.....	.....	.....	.....	.....	.....	G. W. Lowe	7 79	66 p'kages cigarettes.
2538	....do.....	....do....	....do....	19 09	.....	.....	.....	.....	.....	.....	C. W. Wilson....	6 68	1 cart.
2539	....do.....	....do....	....do....	12 92	.....	.....	.....	.....	.....	.....	W. Divine et al..	4 52	Mescal.
2540	....do.....	....do....	....do....	5 34	.....	.....	.....	.....	.....	.....	....do	1 86	2 Mexican hats.
2541	....do.....	....do....	....do. ..	1 53	.....	.....	.....	.....	.....	.....	....do	53	1 Mexican hat.
2542	....do.....	....do....	....do....	9 48	.....	.....	.....	.....	.....	.....	....do	3 31	38 yards merino.
2543	....do.....	....do....	....do....	6 86	.....	.....	.....	.....	.....	.....	....do	2 40	37 yards print.
2544	....do.....	....do....	....do....	2 86	.....	.....	.....	.....	.....	.....	J. Dunn et al	1 00	2 gallons mescal.
2545	....do.....	....do....	....do....	8 18	.....	.....	.....	.....	.....	.....	C. W. Wilson....	2 86	1 dozen shirts.
2546	New York....	....do....	April 21	1,972 13	.....	.....	.....	.....	.....	.....	T. G. Irwin.....	493 03	L. Toplitz & Co.
2547	....do.....	....do....	April 23	200 52	.....	.....	.....	.....	.....	.....	C.N.Brackett et al	70 18	5 terrier dogs.
2548	....do.....	....do....	....do....	1 92	.....	.....	.....	.....	.....	.....	E. T. Trayo.....	67	3 dozen gloves.
254	....do.....	....do....	....do....	84	.....	.....	.....	.....	.....	.....	....do	29	Perfume.
2550	....do.....	....do....	....do....	55 68	.....	.....	.....	.....	.....	.....	C. F. Kane et al..	19 48	Lot of cigars.
2551	....do.....	....do....	....do....	10 73	.....	.....	.....	.....	.....	.....	F. E. Howe et al .	3 75	350 cigars.
2552	....do.....	....do....	....do....	6 98	.....	.....	.....	.....	.....	.....	W. L. Judd.....	2 44	250 cigars.
2553	....do.....	....do....	....do....	14 27	.....	.....	.....	.....	.....	.....	R. Hastings	4 99	5 silk umbrellas.
2554	....do.	....do....	....do....	5 45	.....	.....	.....	.....	.....	.....	J. Tamball	1 90	$6\frac{1}{20}$ boxes cigars.
2555	....do.....	....do....	....do....	12 40	.....	.....	.....	.....	.....	.....	W. L. Judd	4 34	350 cigars.
2556	....do.....	....do....	....do...	50 56	.....	.....	.....	.....	.....	.....	C. F. Kane.....	17 69	Do.
2557	....do.....	....do....	....do....	85 59	.....	.....	.....	.....	.....	.....	....do	29 95	Do.
2558	....do.....	....do....	....do....	11 52	.....	.....	.....	.....	.....	.....	F. E. Howe et al .	4 03	Do.
2559	....do.....	....do....	....do....	9 24	.....	.....	.....	.....	.....	.....	C. Sternhauer....	3 23	Do.
2560	....do.....	....do....	....do....	1 70	.....	.....	.....	.....	.....	.....	G.W.Weed et al .	59	Claret.
2561	....do.....	....do....	....do....	30 72	.....	.....	.....	.....	.....	.....	C. F. Kane et al	10 75	Cigars.
2562	....do.....	....do....	....do....	9 19	.....	.....	.....	.....	.....	.....	W. L. Judd et al .	3 21	300 cigars.
2563	....do.....	....do....	....do....	7 51	.....	.....	.....	.....	.....	.....	....do	2 62	Cigars.
2564	....do.....	....do....	....do....	62 55	.....	.....	.....	.....	.....	.....	C. F. Kane	21 89	Do.
2565	....do.....	....do....	....do....	1 34	.....	.....	.....	.....	.....	.....	P. F. Hagan et al	46	Do.
2566	....do.....	....do....	....do....	10 55	.....	.....	.....	.....	.....	.....	W. L. Judd.....	3 69	Do.
2567	....do.....	....do....	....do....	24 91	.....	.....	.....	.....	.....	.....	F. Meyers et al...	8 71	Cloth, &c.
2568	....do.....	....do....	....do....	40 07	.....	.....	.....	.....	.....	.....	G.W.Weed et al	14 02	1,200 cigars.
2569	....do.....	....do....	....do....	10 16	.....	.....	.....	.....	.....	.....	W. L. Judd et al .	3 55	350 cigars.
2570	....do.....	....do....	....do....	23 48	.....	.....	.....	.....	.....	.....	T. Bell et al	8 21	$20\frac{1}{20}$ boxes cigars.
2571	....do.....	....do....	....do....	2 86	.....	.....	.....	.....	.....	.....	P. F. Hagan et al	1 00	400 cigars.
2572	....do.....	....do....	....do....	63 35	.....	.....	.....	.....	.....	.....	....do	22 17	Cigars.
2573	....do.....	....do....	....do....	2 06	.....	.....	.....	.....	.....	.....	E. T. Trayo.....	72	48 pipes.
2574	....do.....	....do....	....do....	76 33	.....	.....	.....	.....	.....	.....	H. Waldo et al...	26 71	Silk.
2575	....do.....	....do....	....do....	35 70	.....	.....	.....	.....	.....	.....	W. L. Judd et al .	12 49	1,000 cigars.
2576	....do.....	....do....	....do....	24 27	.....	.....	.....	.....	.....	.....	...do	8 49	750 cigars.
2577	....do.....	....do....	....do....	10 16	.....	.....	.....	.....	.....	.....	P. F Hagan et al	3 55	Cigars.
2578	....do	....do....	....do....	13 29	.....	.....	.....	.....	.....	.....	....do	4 65	Do.
2579	....do.....	....do....	....do....	80 30	.....	.....	.....	.....	.....	.....	W. L. Judd et al	28 10	Do.
2580	....do.....	....do....	....do....	13 99	.....	.....	.....	.....	.....	.....	H. McGinty et al.	4 89	Lace.
2581	....do.....	....do....	....do....	23 60	.....	.....	.....	.....	.....	.....	A. McCort et al ..	8 26	Cloth.
2582	....do.....	....do....	....do....	8 51	.....	.....	.....	.....	.....	.....	....do	2 97	Cigars.
2583	....do.....	....do....	....do....	110 04	.....	.....	.....	.....	.....	.....	F. Meyers et al ..	38 51	Silk and gloves.
2584	....do.....	....do....	....do....	57 36	.....	.....	.....	.....	.....	.....	H. P. Neffie.....	20 07	Silk.
2585	....do.....	....do....	....do....	61	.....	.....	.....	.....	.....	.....	L. M. Cohen.....	21	Conch shells.
2586	....do.....	....do....	....do....	26 70	.....	.....	.....	.....	.....	.....	P. F. Hagan et al.	9 34	Cigars.
2587	....do.....	....do....	....do....	11 72	.....	.....	.....	.....	.....	.....	W. L. Judd.....	4 10	Do.
2588	....do.....	....do....	....do....	17 30	.....	.....	.....	.....	.....	.....	P. F. Hagan et al.	6 05	Do.

Statement of compensation allowed to officers of the customs and informers, &c.—Continued.

No.	District.	Case.	Date.	Net proceeds.	Collector.	Share.	Surveyor.	Share.	Naval officer.	Share.	Informer.	Share.	Description of the case.
			1877.										
2589	New York	Seizure	April 23	$8 03							J. A. Dumont et al	$2 81	Cigars, &c.
2590	do	do	do	159 32							H. Waldo et al	55 76	Silk.
2591	do	do	do	69							A. McCort et al	24	Cigarettes.
2592	do	do	do	65 48							do	22 91	$38\frac{1}{20}$ boxes cigars.
2593	do	do	do	12 47							do	4 36	$9\frac{1}{20}$ boxes cigars.
2594	do	do	do	67 40							W. L. Judd	23 59	$14\frac{1}{10}$ boxes cigars.
2595	do	do	do	7 65							P. F. Hagan et al	2 67	Oil of bay.
2596	do	do	do	137 14							do	47 99	15 bags sugar.
2597	do	do	do	4 50							do	1 57	Cigars.
2598	Boston	do	May 1	4 92							C. C. Emery	1 72	17¼ yards silk.
2599	do	do	do	22 66							William Bird	7 93	Silk, &c.
2600	do	do	do	3 31							C. C. Emery	1 15	16½ yards silk.
2601	do	do	do	31 70							J. Snow	11 09	2 trunks webbing.
2602	do	do	do	15 80							do	5 53	2 barrels mollasses.
2603	New York	do	May 3	35 94							G. D. Carroll	12 57	Silk.
2604	do	do	do	40 00							C. N. Brackett et al	14 00	2 dogs.
2605	do	do	do	89 23							do	29 23	Do.
2607	Corpus Christi	do	May 5	26 30							J. F. Farrell	9 20	Horse, &c.
2608	do	do	do	78 90							do	27 61	16 horses.
2609	do	do	do	238 00							do	83 30	Oxen and cart.
2610	do	do	do	128 70							do	45 04	Wool and cart.
2611	do	do	do	171 07							do	59 87	2,281 pounds wool.
2612	do	do	do	119 75							J. F. Farrell et al	41 91	1,890 pounds wool.
2613	do	do	do	142 09							do	49 73	Hides and wool.
2614	do	do	do	35 23							H. A. Burbank et al	12 33	Saddle, &c.
2615	do	do	do	67 00							J. F. Farrell	23 45	5 mules.
2616	Baltimore	do	May 7	21 72							F. Gates et al	7 60	Mrs. H. Saffray.
2617	do	do	do	9 06							S. K. Andrews et al	3 17	Miss Mary Meyer.
2618	do	do	do	3 02							do	1 05	William Gleitsman.
2619	do	do	do	44 97							J. B. McNeal et al	15 73	M. Marconi.
2620	New York	do	June 14	129 24							J. M. Clapp	32 31	Lace dress.
2621	do	Fine	do	1,000 00							J. H. Rosenberg	425 00	M. Pearl.
2622	do	Seizure	June 18	4,430 61							B. F. Sawyer et al	2,000 00	Louis Goldberg.
2623	Boston	Fine	June 27	30,000 00							F. S. Jackson	5,000 00	Jordan, Marsh & Co.
2624	Vermont	Seizure	June 26	22 92							H. H. Adams	8 02	Mr. Barnard.
2625	do	do	do	50 45							H. H. Rounds	17 65	Leo Thomas.
2626	do	Fine	do	20 00							W. Wilson	5 00	Homer Wright.
	Total to informers											34,722 69	
	Total to naval officers									$753 60		753 60	
	Total to surveyors						$778 61					778 61	
	Total to collectors				967 02							967 02	
	Grand total											37,221 92	

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 27.

ESTIMATES OF APPROPRIATIONS FOR PAYMENT OF CLAIMS DUE PRIOR TO JULY 1, 1875.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

An estimate of appropriations for payment of claims originating prior to July 1, 1875, under sections 3687 and 3689, Revised Statutes.

JANUARY 11, 1878.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., December 14, 1877.

SIR: I have the honor to submit herewith an estimate of appropriations for the payment of claims originating prior to July 1, 1875, under sections 3687 and 3689 of the Revised Statutes.

Soon after assuming the duties of the Secretary of the Treasury my attention was called to the payment of old claims from that class of appropriations denominated in the Revised Statutes "permanent annual appropriations." After a careful investigation of the subject I came to the conclusion that such claims were not a proper charge upon the appropriations alluded to, and accordingly gave instructions to that effect by circular dated April 20, 1877, a copy of which is herewith inclosed. (Exhibit 1.) Since that time no claims have been paid from these appropriations—not otherwise excepted by law—which accrued against the Treasury prior to July 1, 1874, and none since the commencement of the present fiscal year which accrued prior to July 1, 1875.

The seventh section of the act of July 12, 1870 (Stats. at Large, vol. 16, page 251; R. S., sec. 3679), provides that no department of the government shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the government in any contract for the future payment of money in excess of such appropriations. Prior to that time acts of Congress had been passed which expressly or constructively imposed upon the executive department of the government duties involving the expenditure of

money for which no appropriations had been made, and from the existence of those duties it was inferred that the power to incur the necessary debts also existed.

To cut off all such inferences and assumptions was the evident purpose of the section of law referred to. (See 14 Opinions Attorneys-General, page 109.) Section 6 of the same act (section 3691 Revised Statutes) provided for covering into the Treasury of unexpended balances of appropriations, and was intended to effect what the prior law on the subject (act August 31, 1852, 10 Stat., p. 98) had failed to accomplish. Four years of practice under the act of 1870 satisfied Congress that even that failed to correct the evil intended to be remedied, as the smallest settlement made under an appropriation, extended such appropriation in force for two years longer.

The act of June 20, 1874 (18 Stat., 110), was then passed, the fifth section of which provides "that from and after the 1st day of July, 1874, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus-fund and covered into the Treasury: *Provided*, That this provision shall not apply to permanent specific appropriations, appropriations for rivers and harbors, light-houses, fortifications, public buildings, or to the pay of the Navy and Marine Corps, but the appropriations named in this proviso shall continue available until otherwise ordered by Congress."

It thus appears that this question rests solely upon the construction to be given to this act, the whole intent of which was to reform a vicious practice of retaining appropriations on the books of the Treasury long after all proper demands had been satisfied, and thus render them liable to be used for the payment of claims not contemplated by the original act.

Whether permanent annual appropriations, as designated in the Revised Statutes, are within the intent and meaning of the act of June 20, 1874, must be determined by construing the act in the light of the evil to be remedied and with reference to legislation on the subject of appropriations.

The first question which arises is, whether such appropriations are within the designation of "permanent specific" which are exempted from the operations of said act.

Permanent appropriations are defined by the Attorney-General as those for an unlimited period, and indefinite appropriations as those in which no amount is named. (13 Opinions, 292.)

It appears that the term "permanent specific" occurs for the first time in the Statutes in connection with the subject of appropriations in this act. The terms "permanent" and "indefinite" occur in the act of 1870, exempting such appropriations from the limitation imposed on annual appropriations.

Under the act of May 1, 1820 (R. S., sec. 3670), requiring the Secretary of the Treasury to annex to the annual estimates a statement of the appropriations for the service of the year which may have been made by former acts, it has been customary to submit such estimates under the title of *permanent*, and to classify them under the heads of *specific* and of *indefinite*. Those appropriations which the law authorizes to be made yearly in a definite amount, as "collecting revenue from customs," and "arming and equipping the militia," are submitted under the title of *permanent specific*, and those where no amount is mentioned as "per-

manent indefinite." If this be the origin of the term *permanent specific* and is to furnish the proper rule of construction, such appropriations should be exempted from the limitation of the "surplus-fund act." But it is not understood that the term "permanent specific" embraces all permanent annual appropriations. It is not an unreasonable rule for the department to refuse to give a forced construction to words in order to open the doors of the Treasury for the payment of money, the control of which the Constitution has committed to Congress. It would certainly be doing violence to the ordinary rules of interpretation to include all permanent annual appropriations under the designation of permanent specific.

The words "permanent specific appropriations" should be confined to appropriations for private claims, where nothing is left to executive officers for examination or inquiry except to identify the party, or to comply with some specific duty prescribed by the specific appropriation.

A "specific appropriation" is one where the amount, the object, or the person is designated particularly or in detail. It is usually permanent in terms, because not limited as to time like an annual appropriation; but there is an obvious distinction between a permanent specific and a permanent annual appropriation. The language of these appropriations is, "out of any money in the Treasury not otherwise appropriated." They do not differ in any respect from an ordinary appropriation except that an unlimited credit is allowed and the appropriation warrant is issued at the close of the year for all payments made under such appropriation during the year, instead of at the beginning of the year. A permanent annual appropriation contemplates that a liability will accrue in the future from time to time, and that when it occurs it may be paid from the Treasury subject to the same general laws, as to time, place, and manner, that apply to other annual appropriations. The mere fact that an appropriation is, in form, a permanent one instead of an annual appropriation, should not operate to take it out of the general rules applicable to appropriations. Such an appropriation, from the nature of it, may not in form be covered into the Treasury, but a claim ought not to be paid out of it at a different time, nor be passed upon in a different mode than if it were payable out of a current annual appropriation. It may be, and frequently occurs in practice, that an appropriation has no balance to its credit on the day when the limitation expires; but whenever a repayment is made to an appropriation, the balance is not permitted to be used for any purpose, but is covered into the Treasury at the close of that fiscal year. Whenever the limitation fixed by the surplus-fund act arrives, such limitation applies to any amount of the appropriation unexpended, whether such amount is the whole or a portion of the sum appropriated, and whether such sum be in the Treasury or in the hands of its disbursing-officer. This rule was carried still further by Attorney-General Black, who held (9 Opinions, page 451) "that an amount appropriated but not formally carried on the books was within the meaning of this act, as the substantial command of a law cannot be evaded by such means, nor its spirit defeated by such neglect." The present Attorney-General has advised this department that, although funds have been paid from the Treasury into the hands of disbursing-officers, if they have not been paid out or have not been expressly set aside for the payment of debts which have been ascertained and determined, when the time arrives at which the unexpended balances of appropriations lapse into the Treasury, it will be the duty of the disbursing-officers to repay such funds, that they may be carried to the surplus-

fund and covered into the Treasury. (Manuscript opinion, August 10, 1877.) (Exhibit 2.)

In the consideration of laws relating to appropriations and the operation of the surplus-fund act of 1874, I have been led to the conclusion that these "permanent annual appropriations," under sections 3687 and 3689, are all within the limitation of the surplus-fund act, the practical effect of which is to make an appropriation available for proper expenditures for the fiscal year for which it is appropriated, and two fiscal years thereafter; and therefore to exclude the payment of any claim, account, or demand whatsoever, which accrued within a fiscal year the appropriations for which have been covered into the Treasury.

The general claims which arose prior to the 1st day of July, 1874, and which, under the rule before stated, cannot be paid from existing appropriations, are discussed at length in a report and accompanying documents made to me by Assistant Secretary French, under date of the 30th ultimo, copies of which are herewith inclosed. (Exhibit 3.) Among the cases thus considered are those for repayment of excess of customs duties. Prominent among these are the so-called Charges and Commissions Cases. These cases arose between the years 1854 and 1864, at which latter date the law under which such exactions were made was repealed, so, that the latest of these claims are now about thirteen years old. More than two millions of dollars have been paid in this class of cases, and it is probable that an equal amount, for which claims have been filed, remains unpaid. A copy of a certified statement in the case of Messrs. Phelps, Dodge & Co., is inclosed. (Exhibit 4.) This case is the one which first directed my attention to this class of claims, and upon which the decision was made that they are not properly chargeable to existing appropriations.

The examination which has been made of this class of cases by the special agents and other officers of this department has been as diligent and thorough as possible, but it has failed to satisfy me either of their justice or their legality.

I understand that a very large number of these claims have passed out of the hands of the original holders, in many instances, for a consideration entirely out of proportion to the whole amount involved, and that in some instances they have been transferred through two or three hands. The records do not show when and in what court the suits were commenced, nor whether the statute of limitations was interposed. After diligent efforts it has been found impossible to get a full record and docket of the cases pending. In some cases it appears that judgments have been opened and the amounts increased.

An ex-collector of the port of New York stated to me some time since that during his term of office he ascertained beyond any doubt that parties who were acting as attorneys in this class of cases, paid large sums of money to clerks in the custom-house for services rendered in getting up the evidence on which such claims were based; and that upon learning that fact he at once dismissed the implicated employés. He also stated to me that in examining some of the vouchers in this class of cases while he was collector, he found that the entries to which the protests were attached, were wrinkled and mutilated, while the protests themselves were clean and had the appearance of being nearly new, from which he inferred that the protests were attached to the entries through collusion with some of the officers of the custom-house long after the entries were made. It has also been ascertained that in some of the cases in which payments have been made, no protest of any description

can now be found attached to the entry, although the papers filed in the Treasury Department, on which such payments were made, have attached to them what purport to be copies of protests made in due form.

The other details necessary to a more through understanding of these cases can be gathered from the papers accompanying this letter, marked from No. 3 to 7, inclusive.

The facts before stated, and those disclosed by the papers sent, even in case an appropriation is made, would make it extremely difficult for this department to act upon these claims. It is therefore respectfully recommended, in case provision is made by Congress for the payment of such claims, that the evidence upon which such payment shall be authorized, together with the rate of interest to be computed, should be fixed by the act making the appropriation; and that such appropriation, if made, be available only for this class of cases. Interest in these cases has heretofore been computed at the rate of 7 per cent. per annum, and in some cases interest has been compounded. Indeed, the greater portion of these claims latterly presented has been for interest and costs.

I also deem it proper to state that in judgments recovered against collectors of customs for overpaid duties it was customary, prior to my accession to office, to pay the interest and costs included in such judgments, under the authority of section 989 of the Revised Statutes, out of the appropriation for collecting the revenues from customs for the year in which such judgment was rendered.

It was my opinion that such interest and costs could not be considered a proper charge upon that appropriation, inasmuch as such interest and costs are not incident to the collection of the money by the government which was collected long prior to the rendition of the judgment, and covered into the Treasury. It was therefore held that there was no existing appropriation out of which such interest and costs could be paid.

It is recommended that an appropriation be made for the payment of interest and costs in other judgment cases recovered against collectors of customs for overpaid duties, and which are recognized as a proper charge upon the Treasury, by a suitable appropriation, and that such appropriation be made available, not only to cases where the moneys were paid and covered into the Treasury more than two years prior to the commencement of the present fiscal year, but to future cases of like character.

Very respectfully,

JOHN SHERMAN,
Secretary of the Treasury.

HON. SAMUEL J. RANDALL,
Speaker of the House of Representatives.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1878.

General object (title of appropriation) and details and explanations.	References to Stats. at Large, or to Revised Statutes.			Estimated amount required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.
	Vol. or R. S.	Page.	Sec.		
Estimate of appropriations required for the payment of claims which accrued prior to July 1, 1875, *under section* 3689, *Revised Statutes.*					
PERMANENT ANNUAL APPROPRIATIONS.					
Refunding taxes illegally collected—					
To refund to persons money collected from them without warrant of law, as in payment of dues under the direct-tax laws.....	R. S.	730	3689	.....	$1, 064 05
Repayment to importers excess of deposits (customs)—					
To repay to importers the excess of deposits for unascertained duties, or duties or other moneys paid under protest	R. S.	731	3689	.....	400, 000 00
Distributive shares of fines, penalties, and forfeitures (customs)—					
For the payment, under the direction of the Secretary of the Treasury, of the distributive shares of fines, penalties, and forfeitures under the customs laws	R. S.	731	3689	.....	5 37
Refunding taxes illegally collected (internal revenue)—					
To refund and pay back taxes erroneously or illegally assessed or collected under the internal-revenue laws	R. S.	730	3689	.....	440, 005 38
Allowance or drawback (internal revenue)—					
To pay allowance or drawback on articles on which any internal duty or tax shall have been paid when said articles are exported...	R. S.	730	3689	.....	2, 882 17
Repayment for lands sold for direct taxes—					
To provide for the redemption and sale of lands held by the United States under the several acts levying direct taxes.....	R. S.	729	3689	.....	2, 000 00
Horses and other property lost in the military service—					
To pay for horses, mules, oxen, wagons, carts, boats, sleighs, or harness lost, captured, destroyed, abandoned, or killed while in the military service, under "An act to provide for the payment for horses and other property lost or destroyed in the military service of the United States".....	R. S.	732	3689	.....	180, 000 00
Refunding money for lands erroneously sold—					
To pay to the purchaser or purchasers the sum or sums of money received for lands erroneously sold by the United States.....	R. S.	733	3689	.....	5, 436 61
Indemnity to seamen and marines for lost clothing—					
To allow and pay to each person, not an officer, employed on a vessel of the United States, sunk or otherwise destroyed, and whose personal effects have been lost, a sum not exceeding sixty dollars. In the event of the death of the person, this sum is to be paid to his legal representatives	R. S.	733	3689	.....	60 00
NOTE.—See decision of the Secretary of the Treasury of April 20, 1877—Appendix, marked "—."					
Total permanent annual appropriations..	.....	.....	.....	.....	1, 031, 453 58

EXHIBIT No. 1.

Decision of the Secretary of the Treasury in relation to the use of appropriations for the payment of accrued claims.

TREASURY DEPARTMENT,
Washington, April 20, 1877.

The attention of the Secretary of the Treasury has been drawn to the question of the use of appropriations after the expiration of the time for which they are made, by the requisition of the Secretary of War, No. 2834, of March 21, 1877, for $1,742, in favor of Malachi V. Plank and others, based upon a report of the Third Auditor, allowed and certified by the Second Comptroller. The Secretary of the Treasury is not called upon to consider the validity of this claim, but must know that an appropriation exists applicable to its payment before issuing a warrant therefor; and if of the opinion that there is no such appropriation, he must decline to issue a warrant for payment of the claim. "If he grant a warrant not in pursuance of an appropriation by law, he violates his duty, and is responsible for it." (5 Op. Attorneys-General, 641.)

This is in execution of the powers conferred upon the Secretary by section 248 of the Revised Statutes, to grant warrants "in pursuance of appropriations by law," and does not conflict with the provisions of section 191, which relate to "balances" of accounts, and not to warrants nor appropriations.

As many other cases depend upon the construction of the law applicable to this case the Secretary has given it the most careful consideration, with a view to settle the rules that will govern him in the issuing of warrants in similar cases.

The claim is for a violation of a contract made in September, 1872, between Captain Foster, A. Q. M., and four carpenters, for work to be done by them until the 1st day of June, 1873, at Fort Buford, Dak. Owing to the want of funds, these men were discharged, and were paid to January 17, 1873. If their contract was a valid one, their claim accrued June 1, 1873, and they had then a clear remedy in the Court of Claims. In July, 1875, Mr. Brodhead, Second Comptroller, decided that he had not sufficient authority to allow the claim. In April, 1876, upon re-examination, Mr. Carpenter, Second Comptroller, decided that the contract was not authorized by law, and upon this decision Secretary Bristow refused to reopen the claim. No law is referred to, and I know of none, that authorizes a second reopening of the claim by any accounting-officer. If this may be done, there is no end to the hearing of such claims.

Section 191 provides that the *balances* stated by the Auditor and certified by the Comptroller shall be conclusive upon the executive branches of the government. These "balances" can only be increased or diminished by Congress. Invested with such authority and sanction, these decisions ought to be binding also on the claimant, and especially upon the officers who make them and their successors in office.

The Secretary can see in this case no reason for a revision of the findings already made.

It is also objected to the issuing of a warrant in this case that the balance of the appropriation out of which it is made payable has been covered into the Treasury.

Section 5 of the act approved June 20, 1874 (18 Stat., 110), provides that all unexpended balances of appropriations (with certain exceptions), which shall have remained on the books of the Treasury for two fiscal

years, shall be carried to the surplus-fund and covered into the Treasury. This section was adopted, after the fullest consideration by Congress, expressly to cut off the payment of accrued claims, by covering into the Treasury, after two years, the balance of the appropriation from which they might have been paid. The plain purpose of this act was to confine the officers of the government to the allowance and payment of liabilities within three fiscal years. During that period the appropriation was available, and not afterward.

Section 2 of the act approved June 16, 1874 (18 Stat., 75), provides "that all balances of appropriations, for whatever account, made for the service of the departments of the Quartermaster-General and of the Commissary-General of Subsistence, prior to July 1, 1872, which on the 30th day of June, 1874, shall remain on the books of the Treasury, shall be carried to the surplus-fund," with certain exceptions. This act was modified at the same session so as to require certain claims which accrued before the time stated to be certified to the Secretary of the Treasury.

Congress has sought, by several other acts passed since the close of the war, to limit and control the action of officers in passing accounts. By section 3678 Revised Statutes all sums appropriated must be applied solely to the objects for which they are respectively made, *and for no other*. By another section, no money can be expended in one fiscal year in excess of the amount appropriated for that fiscal year; and contracts for the future payment of money in excess of appropriations are forbidden.

In the several laws referred to, it was clearly the intention of Congress to establish a public policy that would confine accounting-officers to the adjustment or payment of claims accruing for services rendered, or duties performed, or property purchased, or contracts accruing during a limited period, and to the adjustment of the accounts of disbursing-officers, the general design being to cut off the allowance and payment of long-accrued or past-due claims. This policy is so wise that every executive officer ought to contribute to maintain it.

The Treasury Department is admirably organized to pass upon accruing demands upon the government and upon the accounts of disbnrsing-officers. All its machinery and checks are adapted to this duty, and no serious complaint has been made, or is likely to be made, of the proper discharge of this duty. But when claims long past due are presented upon *ex-parte* evidence to officers who have no means of calling witnesses, no powers to cross-examine them, no modes of testing the sufficiency of testimony or its credibility, none of the safeguards of an open court of justice, the passage of fraudulent claims is unavoidable. Congress has by law provided a Court of Claims, where, within a limited period, all demands founded upon contracts may be presented and openly tried and decided. If this remedy in any case should be insufficient, claimants can appeal to Congress, which may grant either a new trial in the courts, or a re-examination in the departments, or directly furnish such relief as it deems right and proper. The Treasury Department is not a Court of Claims, and the reason for withholding the ordinary powers of such a court became apparent to Congaess by actual errors that had occurred.

Several classes of appropriations have been excepted from the operation of the law of June 20, 1874, already referred to, growing out of their peculiar nature, and founded upon manifest reasons, as follows:

First. Permanent specific appropriations.

Second. Appropriations for rivers and harbors, and various public

buildings and improvements, which, from their nature, must be continuous, extending through several years.

Third. The pay of the Navy and Marine Corps, as, from the nature of the service, it must often be performed in distant seas, during cruises for three years.

Fourth. Claims arising under certain sections of the treaty with Great Britain, of May 8, 1871.

Fifth. Contracts existing June 20, 1874.

The only exceptions that it is material now to notice are the first and fifth.

The first exception is "that this provision shall not apply to permanent specific appropriations."

A specific appropriation is one where the amount, the object, or the person is designated particularly or in detail. It may be, and usually is, permanent in terms, because not limited as to time, like an annual appropriation; but there is a wide distinction between a permanent specific appropriation and a permanent annual appropriation.

A permanent annual appropriation contemplates that a liability will accrue in the future, from time to time, and that when it accrues it may be paid from the Treasury, subject to the same general laws as to time, place, and manner that apply to other annual appropriations. Any other construction would permit the most dangerous abuses by allowing the payment from a permanent appropriation of a claim that in any court would be barred by the lapse of time.

The mere fact that an appropriation is, in form, a permanent appropriation, instead of the usual annual appropriation, should not give it greater force or take it out of the general rules as to appropriations. Such an appropriation, from the nature of it, may not in form be covered into the Treasury, but a claim ought not to be paid out of it at a different time nor be passed upon in a different mode than if it were payable out of a current annual appropriation. A claim for captured cotton, or for a mule, or horse or steamboat lost in the public service, should have no preference over a claim for salary not presented in time. It is no hardship to refer such claims to the Court of Claims.

To expand an exception in favor of a specific appropriation, so as to cover all permanent appropriations, would be to defeat the plain intent of the law. These permanent annual appropriations are contained in sections 3687, 3688, and 3689 Revised Statutes. They include, among others, the appropriation for the expenses of the collection of the revenue from customs, which is an appropriation in a permanent form of a fixed sum for the service of each fiscal year. They include the appropriation for the interest on the public debt, which is also, in form, a permanent appropriation annually, out of the customs revenue, of a sum fixed by the public securities. They include, also, a multitude of permanent indefinite appropriations declared to be permanent annual appropriations. An amount necessary for each year in the future, for certain purposes, is authorized to be taken from the Treasury, and these annual appropriations are subject to the same rules, limitations, and qualifications as the usual annual appropriations made by Congress. Any other construction of the act would defeat its object. Money would be taken from the permanent annual appropriation for horses and steamboats lost in the public service, and applied to pay for horses lost twenty years ago; money would be taken from the appropriation for collecting the customs, and used for the payment of claims that accrued twenty years ago, and for the interest thereon. Thus old claims would be paid out of permanent annual appropriations, and would be barred neither

by lapse of time nor by adverse decisions, while current appropriations would be covered into the Treasury.

The Secretary is of the opinion that this is not a fair construction of the law; but that the words "permanent specific appropriation" should be confined to appropriations such as private bills, where nothing is left to executive officers for examination or inquiry except to identify the party, or to comply with some specific duty pointed out by the specific appropriation.

The fifth exception is "that this section shall not operate to prevent the fulfillment of contracts existing at the date of the passage of this act."

Was this contract existing on the 20th of June, 1874? This question was decided by Mr. Tayler, First Comptroller, July 15, 1874, adversely to the claim of the petitioners, and this decision was published by the department, in a circular letter of instructions, for the information and guidance of all concerned. Mr. Tayler says:

> It is evident Congress used the word "contract" in a limited sense; certainly not in a very broad one. I am of the opinion that Congress meant valid written contracts existing, and in the course of execution and unfulfilled June 20, 1874. It is clear that Congress did not mean all unpaid liabilities sounding in contract, for that would include everything, and be inconsistent with limits which Congress evidently intended to impose.

This is clearly the correct construction of the law. If the phrase "existing contract" means a contract violated and ended long before, it would authorize the payment of the French spoliation claims, or claims growing out of contracts during the Mexican war, or the war of the rebellion. The act was passed expressly to protect the Treasury from old claims presented after the appropriation had terminated, and to correct alleged abuses by officers in paying accrued claims upon *ex-parte* showing. The exception must not be so construed as to defeat the manifest purpose of the act. The contracts excepted are continuous and subsisting contracts requiring acts to be performed, and not contracts broken and ended, or matured into accrued liabilities. The statute cuts off the payment of the clearest claims two years after the expiration of the appropriation, such as the salary of the President, or a Supreme judge, or a member of Congress; and much more, the multitude of doubtful claims that grow by time. All proper claims are likely to be promptly made and paid. Some just claims may arise and be delayed by neglect or want of proof, but, to provide for these, and at the same time to give the claimant the benefit of the finding by the Auditor and Comptroller, the Secretary of the Treasury is directed, "at the beginning of each session, to report to Congress, with his annual estimates, any balances of appropriations for specific objects affected by this section that may need to be reappropriated." This is the precise reference required to secure the payment of the judgments by the Supreme Court or Court of Claims.

It follows, therefore, that the Secretary is not authorized to draw any money from the Treasury in payment of this claim, or in payment of any claims covered by either permanent or ordinary annual appropriations that do not clearly fall within the limitation fixed by the act of June 20, 1874, or within the exceptions named; and the officers charged with the preparation and issue of warrants will be required to observe this rule.

JOHN SHERMAN,
Secretary.

EXHIBIT No. 2.

DEPARTMENT OF JUSTICE,
Washington, August 10, 1877.

SIR: In answer to your letter of the 6th instant inquiring in relation to "funds in the hands of disbursing-officers belonging to appropriations which lapsed into the Treasury on June 30, 1877, under the surplus-fund act of June 20, 1874" (18 Stat., 110, sec. 5), I have the honor to say:

Although funds have been paid from the Treasury into the hands of disbursing-officers, if they have not been paid out, or have not been expressly set aside for the payment of debts which have been ascertained and determined, when the time arrives at which the unexpended balances of appropriations lapse into the Treasury, it will be the duty of the disbursing-officers to repay such funds that they may be carried to the surplus fund and thereafter covered into the Treasury.

The mischief intended to be remedied by the surplus-fund act of June 20, 1874, was that of permitting appropriations to continue available for the payment of the debts or claims for which they provided for a long period after such appropriations were made, and was intended to fix a definite period within which the appropriations should be used, or the unexpended balances carried to the surplus fund.

If the disbursing-officers were permitted to retain the funds which are in their hands, after the arrival of such period, the object of the law would be to a certain extent defeated, as the funds would continue available for a longer period than was intended.

It would not be competent, therefore, for the disbursing-officers to continue to issue certificates payable from the balances in their hands, after the date when they lapse into the Treasury. If, however, previous to that time they shall have issued certificates by which claims upon these appropriations have been definitely determined and decided, and the parties in whose favor the certificates are issued are entitled to their money, although the payment has not actually been made before the date referred to, such claims may thereafter properly be paid by the disbursing-officers. The issuance of these certificates is a definite ascertainment of the claims which are expressed by them, and the mischief intended to be remedied by Congress—namely, that of permitting appropriations to remain available after a definite period—would not exist in the case supposed, because before such period arrived there would have been a distinct setting aside of such portions of the appropriations.

For what period the disbursing-officers should be allowed to retain in their hands funds for the purpose of meeting the certificates issued by them previous to June 30, 1877, is a matter of administration only. While they continue to hold the same, of course the amount to be carried to the surplus fund cannot be accurately ascertained and covered into the Treasury.

To permit them to hold such funds for an indefinite period would therefore be impossible. It is for the Secretary to prescribe such a rule in regard to the amount to be retained by the disbursing-officers as shall seem proper in view of the information which he may receive as to the amount in full of such certificates, and, further, to prescribe how long they may retain such sums, and within what time they must be paid into the Treasury.

Very respectfully, your obedient servant,

CHAS. DEVENS, *Attorney-General.*

Hon. JOHN SHERMAN, *Secretary of the Treasury.*

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., September 15, 1877.

Judge FRENCH:

I wish a carefully prepared and full statement of the nature and character of claims pending before the Treasury Department, or before the Court of Claims, or before claims commissions, the laws authorizing their examination and payment, their amount, description, and general nature, including, among others, the following:

"Charges and commissions" claims.

Cotton claims.

Claims for injury to private property during the war.

Claims for steamboats, horses, &c.

I wish your view as to the propriety of a statute of limitations, and, generally, what guards and protection should be devised by law to secure the government against fraudulent or exaggerated claims.

Please also consider the question as to the nature and extent of existing permanent or annual appropriations, and the modifications which should be made in them.

I wish this paper to be so complete that I can transmit it to Congress with my annual report.

JOHN SHERMAN,
Secretary.

EXHIBIT No. 3.

STATEMENT OF THE NATURE AND CHARACTER OF CLAIMS PENDING AGAINST THE GOVERNMENT. By H. F. FRENCH, ASSISTANT SECRETARY.

Refunds of customs duties—Refunds of internal-revenue taxes—Informers' rewards, customs—Informers' rewards, internal revenue—Fees of district attorneys—Claims for cotton under act of May 18, 1872—Captured and abandoned property in the Court of Claims—Court of Claims—Southern Claims Commission—Claims under special statutes—Claims under act of 1849—Claims for steamboats, engines, &c.—Claims under act of 1864—Claims for property destroyed in the rebellion—Limitation of claims—Mode of proof—Ex parte evidence—Reference to Court of Claims—Appropriations.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., November 30, 1877.

To the SECRETARY OF THE TREASURY:

The claims which you have desired me to consider may be conveniently classed as follows: Refunds of customs duties; refunds of internal-revenue taxes; informers' rewards; district attorneys' fees; claims for the proceeds of cotton under the act of May 18, 1872; claims within the jurisdiction of the Court of Claims; claims within the jurisdiction of the Commissioners of Claims; claims under the act of 1849, for horses, &c., and for steamboats and other vessels; claims for stores and supplies under the act of July 4, 1864; and claims for property destroyed in the rebellion.

Appropriations for the life-saving service, the revenue-cutter service, the light-house establishment, the Coast Survey, the Bureau of Engraving and Printing, the erection and repair of public buildings throughout the country, and many others, are placed by law in charge of the Secretary of the Treasury, and many claims for his consideration are constantly arising from them. But such claims are not of a nature to

be classified, or to furnish precedents for the future, and, therefore, will not be further discussed.

REFUNDS OF CUSTOMS DUTIES.

Section 3012½, Revised Statutes, provides that—

Whenever it shall be shown to the satisfaction of the Secretary of the Treasury that, in any case of unascertained duties, or duties or other moneys paid under protest and appeal, as hereinbefore provided, more money has been paid to the collector, or person acting as such, than the law requires should have been paid, the Secretary of the Treasury shall draw his warrant upon the Treasurer in favor of the person entitled to the overpayment, directing the Treasurer to refund the same out of any money in the Treasury not otherwise appropriated.

Under the foregoing section, and the appropriation, found among the permanent annual appropriations, "to repay to importers the excess of deposits for unascertained duties, or duties or other moneys paid under protest," the greater part of the refunds of customs duties are made.

The refunding of duties under some special acts and resolutions will be considered in their proper place.

Charges and commissions cases.—The most important class of cases to be considered under the head of "refunds of customs duties," on account of the amount involved, the long pendency of the suits, and the diverse opinions which have prevailed among the Secretaries of the Treasury and law-officers of the government, are the cases known as the "charges and commissions cases."

Those cases arose upon an act which was repealed in 1864. More than $2,000,000 have been already paid on account of them for principal, interest, and costs, and, upon the best estimates which can now be obtained, probably as much more is involved as has already been paid. The papers respecting them are very voluminous. A statement prepared in the Office of the Solicitor of the Treasury, dated August 14, 1876, gives a condensed history of these cases to its date.

By the act of March 3, 1851, collectors of customs were required to cause the actual market value or wholesale price of goods imported into the United States to be appraised, and to add to such value or price all costs and charges except insurance, including in every case a charge for commissions at the usual rates, as the true value thereof at the port of entry. This act remained in force until June 30, 1864. During this time, under the act in question, the Treasury Department required to be added to the value of the goods imported not less than two and one-half per cent. commissions. It also required to be added all charges, except insurance, which had accrued prior to the time the goods left the last port or place in the foreign country, including the cost of transportation inland or coastwise, whether such place of setting out and place of final departure were in the same or different countries. It also required in cases where goods had been purchased to be delivered free on board, that is, purchased to be delivered on board ship at a stipulated price and free of all charges not embraced in such price, such sums as were the usual charges in the countries where the goods were purchased, differing in respect to goods coming from different countries.

With regard to these exactions, the importers claimed, first, that they were required to add only the usual commissions, whether greater or less than 2½ per cent.; second, that only such charges should be added as accrued before the merchandise set out on a determined destination to the United States, and that in cases where goods were purchased "free on board," nothing on account of charges could be required to be added.

To the exactions thus made by the Treasury Department the importers protested, relying in making their protests on what is termed "prospective protests," that is to say, protests against particular decisions with a clause declaring it to be the desire and intention of the importer that such protests shall apply to all future cases of like character. It was claimed by the importer that a protest of this character filed with one collector of customs was valid against his successor in office.

Having protested, however, in this way, no appeal was made to the Secretary from the decision of the collector adverse to the claim; but suit was begun without making such appeal.

Under the construction placed upon this act of 1851 by the Treasury Department, a large number of suits, now known as "the charges and commissions suits," were brought

against the collectors of customs at the port of New York to recover the duties claimed for the reasons given to have been illegally exacted, the amount of which duties aggregated over two millions of dollars.

One of these suits, viz, Hutton *vs.* Schell, was tried before the circuit court for the southern district of New York in 1868, in which all the questions to which I have alluded were argued and decided adversely to the claim of the United States. (6 Blatchford, 48.)

In the case of Gibbs *vs.* Washington, tried in the circuit court of California in 1858, the court held that charges for transportation of goods from the interior of the country by railroad or water carriage, incurred prior to the time of exportation, cannot be added to the value of the goods under the act of March 3, 1851. (1 McAllister, 430.)

A Treasury circular was issued on the 21st May, 1863, while Mr. Chase was Secretary of the Treasury, concurring in the decisions of the courts, viz, that charges for transportation of goods from the interior by railroad or water carriage were not to be added for the purpose of establishing their dutiable value.

The circular also stated that it had been decided that the usual and legal rate of commissions on merchandise from Great Britain was 1½ per cent., from Continental Europe, except Paris, 2 per cent., and that the department concurred therein.

The action of the Treasury Department seems to have been in accordance with the rulings of the court. It has in no instance directed an appeal to be taken to the Supreme Court on any of the questions arising under this act; and different Secretaries have, from time to time since the date of the circular referred to, ordered refunds of duties exacted, such refunds amounting in the aggregate to about one million seven hundred thousand dollars.

While, however, so large an amount has been refunded, there still remain over five hundred suits undetermined, involving over five hundred thousand dollars.

On the 11th of May, 1874, the United States (at New York) attorney, Mr. Bliss, in a report to the Secretary of the Treasury, in which he expresses himself with some earnestness in the manner in which the various questions arising in these cases have been disposed of by the courts and the department, requests that he may be authorized to take writs of error in a sufficient number of cases to present fairly the points involved to the proper court.

In a subsequent letter of June 4, 1874, in reply to one from the Secretary asking him to report what particular questions he desired to present, he answered that the ones which seemed specially important were:

1. The entire question of what are dutiable charges under the act of March 3, 1851.
2. When goods have been invoiced free on board it has been the practice since Benkard *vs.* Schell to refund duties paid on charges added by importers by compulsion to make market value. This point should be reviewed.
3. The sufficiency of a continuous or a prospective protest should be considered. If good, to what extent.
4. The question whether a protest addressed to one collector is applicable to his successor.
5. The necessity of an appeal under the act of 1851.

On the 10th of June following, the Secretary of the Treasury referred the matter to the Attorney-General, and requested to be informed whether the points of law raised by the district attorney were of sufficient importance to justify the Department in suing out a writ of error to obtain judgment of the Supreme Court in regard thereto.

On the 25th following, the Attorney-General replied, stating substantially that he understood that the question was interesting to the government only so far as regards transactions now passsed; that while some of the principles established by former Secretaries, as well as by the circuit court, might well in former years have been brought by the government before the Supreme Court, "the propriety of doing so at present makes a very different question, inasmuch as those principles have been acquiesced in, for year after year, and have formed the basis upon which vast amounts of business have been transacted in good faith between the government on one side and importers on the other; the more so, that as said above, under the recent change of legislation the reversal of that series of decisions is not to affect future business."

The question as to what charges and commissions appraisers were, before the statute of June 30, 1864, to include in ascertaining the dutiable value of goods imported is somewhat a different one. If that question had not been set at rest for the future by the above legislation (13 Stat., 217, sec. 24) there might be no objection to have it reconsidered. It was under the previous statute debatable, and some time since would have justified officers of the government in bringing it before the Supreme Court; as it is, however, the vast majority of the cases presenting the question has uniformly

been decided by Secretaries and by the courts adversely to the government. It is not improbable that such decisions were correct. At all events, it is hardly seemly to question their application to that comparatively small remnant of cases upon which the old law still operates.

On receipt of this decision, the Secretary of the Treasury wrote to the United States attorney concurring therein, and directed writs of error not to be sued out if plaintiffs would stipulate in writing to abandon the point that protests filed with one collector were binding on his successor in office.

In August, 1874, such stipulation was filed and all the suits sent to a referee; but in May following the United States attorney was directed to have the reference vacated and questions involved in them taken to the Supreme Court on the ground, as stated by the Secretary, that his concurrence in the opinion of the Attorney-General had been based on representations made to him by counsel of plaintiffs that there was but a remnant of the cases left, and that these had gone to judgment, which was not the fact.

The attempt to vacate the reference was resisted by plaintiffs on the ground that the government could not in good faith appeal after the letter of the Secretary directing no appeal to be taken, if the stipulation referred to was filed. The court therefore refused to vacate the order, and no appeal or writ of error has yet been taken in any of the cases.

The foregoing statement was prepared by the Solicitor of the Treasury by an order of Secretary Bristow, dated June 2, 1876, but was not acted upon by him.

Soon after Secretary Morrill assumed charge of the Treasury Department the whole subject was brought up for his consideration, in August, 1876. I had the honor to report to the Secretary on the 24th of August, 1876, upon the propriety of submitting the questions arising in the cases to the Attorney-General, and upon that report the Secretary declined so to refer them.

The reasons upon which his decision was based were that all the suits were under reference by consent, and it was necessary to vacate the decree of reference before they could be opened for trial. The court had refused, upon motion of the counsel for the government, to vacate the orders of reference.

The decisions of the courts and the acquiescence of the department in them, it was thought, ought not, at this late time, to be disturbed. It seemed that good faith required that an agreement for the disposition of the suits deliberately entered into by the government should not be violated because it appeared that the number of suits and the amount in controversy were greater than the representatives of the government supposed when they entered into the agreement.

It did not appear that, since the opinion of the Attorney-General above cited, any opinion of any court had been given adversely to the views of the claimants upon any point, and it did appear that an opinion of the Supreme Court, in the case of Barney *vs.* Watson et al. (2 Otto, 449), affirming the opinion of the circuit court, had been given upon two points in favor of the claimants, to wit, that the act of 1857, requiring appeals to the Secretary of the Treasury in certain cases does not apply to such cases as these under consideration, and, secondly, that a protest at any time before payment is sufficient; the act of February 26, 1845, and not the act of 1857, being applicable to them.

Nothing seemed to have occurred since the opinion of the Department of Justice was given that could lead the Secretary to suppose that the views of its officers could have been changed in favor of the government.

Upon this view of the matter the following instructions were given to the Solicitor of the Treasury by the Secretary, September 26, 1876:

In the matter of the suits known as "charges and commissions' cases," the Solicitor of the Treasury is directed to instruct the district attorney of the southern district of New York that this department withdraws the instructions heretofore given to him to

carry to the Supreme Court by appeal, writs of error, or otherwise, such cases upon the following questions:

1. Whether, under the tariff act of March 3, 1851, it was legal for the collector of customs to add to the foreign cost or value of merchandise commissions greater than the usual rates paid in the places from whence the importation was made.

2. Whether, under the same law, it was legal to add the cost of transportation, inland or coastwise, from the place from whence the merchandise set out, on a declared destination, to the United States, to the last place of shipment.

3. Whether, under the act, charges could be legally added in cases where the merchandise had been purchased to be delivered "free on board," and the charges were, as claimed by the importers, embraced in the price paid.

4. Whether a "prospective protest," or, in other words, a protest in advance, was sufficient to save the right of importers in cases where such additions as those specified in the foregoing paragraphs were made.

5. Whether, after the passage of the act of March 3, 1857, it was incumbent on the importer, in cases of additions being made or required by the collector, to appeal to the Secretary of the Treasury.

As to any other questions arising in said cases, the department does not intend, at this time, to give instructions.

Under these instructions, cases proceeded before the referees, and judgments to the amount of about ——— were rendered upon their report, and were paid: the debt, under section 3012½ R. S., "out of any money in the Treasury not otherwise appropriated"; the costs and interest, under section 3687 R. S., out of what is termed a permanent annual appropriation "for the expenses of collecting revenues and customs."

Upon the accession of the present Secretary, the whole subject was again brought under consideration, and the payment of the judgments rendered in the cases suspended for want of any appropriation out of which the same could, in the opinion of the Secretary, be legally paid. His decision of April 20, 1877, in relation to the use of appropriations for the payment of accrued claims is held to apply to the judgments in these cases.

Doubts having been suggested whether the proceedings in the courts and before the referees had been regular and in conformity to law, a thorough investigation by the department has been attempted.

Learning from the district attorneys in the two districts in New York, in the courts of which these suits are pending, that no accurate information could, within a reasonable time, be given by the officers of the courts as to the number of suits in which judgments had been rendered, nor of those still pending, nor of the amount already paid or which would probably be recovered in the pending suits, a special agent of the department, N. W. Bingham, esq., was directed to make an investigation and obtain the desired information. He detailed Special Inspector J. W. Davis to make the required examination. Mr. Davis has been aided by a clerk, Mr. W. C. Tompkins, detailed for the purpose. After several weeks spent at New York in examination of the records in the custom-house, as well as in the court, and after conference with the district attorney and special counsel for the government, and also with the counsel for the plaintiffs, the inspector has made a report sufficiently accurate for present purposes.

Upon the first question proposed for investigation the inspector reports:

> As to whether protests were duly lodged at the custom-house and filed with each entry covered by these suits within the time prescribed by law, it is admitted by the attorneys of the plaintiffs that the protests were not filed with each entry; but they rely upon the general protest filed with the first entry as to which they make claim, and made to apply to it, and also to all future entries. * * * I have little doubt but that a protest will be found upon one of the early entries of each claimant. There is, however, no record or other means of determining the date at which it was pre-

fixed. * * * From the admissions of the attorneys, no protests or appeals were made as to the entries subsequent to March 3, 1857, such as were required by the act of that date.

As to this point, it should be borne in mind that in Hutton *vs.* Schell (6 Blatchford, p. 48) it was held that prospective protests under the act of March 3, 1857, may be valid. In that case the form used was as follows:

You are hereby notified that we desire and intend this protest to apply to all future and similar importations made by us.

The court cited several cases in support of the doctrine there laid down.

In the very recent case of Barney *vs.* Watson (2 Otto, p. 449), it was decided that the act of February 26, 1845, prescribing the time and manner of making protest to a collector of customs in cases therein mentioned continued in force until the passage of the act of June 30, 1864, and that the act of March 3, 1857, does not apply to the class of cases which we are now considering. That act required a protest within ten days after entry and an appeal within thirty days, whereas under the act of 1845 it was sufficient that protest should be made in writing at or before the payment of duties.

The act of 1857 is held in Barney *vs.* Watson not to relate to a decision upon the rate and amount of the duties to be charged, but only to the decision of the collector whether the goods were on the free-list or not. (2 Otto, p. 453.)

The inspector next reports upon the second question, "whether the several suits were brought within the six years from the dates of payment of duty upon such charges and commissions."

He says:

A large proportion of the suits were not brought for several years after the date of the last entry, and if the statute of limitations had been pleaded, most, if not all, of the items would have been barred.

Inasmuch as, under the decision of the Supreme Court in Barney *vs.* Watson, these suits are governed by the act of 1845, they are not barred by the limitations as to protest and appeal contained in the act of 1857. Being actions against the collector personally, they would be subject to the statute of limitations of the State of New York where they are pending. It is probably too late to effectually raise any question upon this point.

The third question investigated by the inspector relates to "the number of such suits still pending, the titles, amounts involved, and date of commencement of suit to be given in detail in each case."

The inspector has presented a tabulated list, marked A, "showing the number of suits in the charges and commissions cases in New York, with the date of action, names of plaintiffs and defendants, the collectors and district attorneys, docket-number, date of verdict or of reference, name of the referee, and the date of payment; also of the cases unsettled."

In exhibit B he gives copies of orders of court, and of reference, and of other documents relating thereto.

In exhibit C he gives the amounts of actual refunds in these cases from September 13, 1855, to February 5, 1877.

Exhibit D contains a list of the cases adjusted but not yet paid.

As these papers are very voluminous, it is sufficient to refer to them and give their results.

The inspector states that many of the cases, after judgment and sat-

isfaction, have been reopened, and, upon re-examination, further judgments have been rendered. Hon. Edwards Pierrepont and John I. Davenport, esq., are the officers to whom all these cases, except a few which have been referred to the collector of the port, have been committed as referees. Upon the report of the referee jugement was entered for the amount found by him to be due, with the costs of court and referee's compensation added, the judge in each case determining the amount of the referee's fees. The amounts were then certified and forwarded by the collector to the department for payment.

The inspector has made examination to ascertain whether in any of the cases a claim has been twice paid. He is satisfied that this has not been the case, except in one instance, which he recommends to be carefully examined. He refers to the cases of Mitchell and another *vs.* Redfield, where there appear to have been two refunds. An examination at the department shows that these judgments were for distinct causes of action.

As to the whole number of cases which have been presented, the inspector reports that 65 cases were settled, prior to 1860, without suit; that the whole number of suits brought is 1,406; the number pending at present is 776, of which 36 are not pressed by the claimants; the number paid is 723, of which 28 were reopened and paid; leaving of the original cases paid 695. In these 695 cases 723 payments were made, amounting to $2,035,172.20. Deducting six payments in extraordinary cases, it is found that the average of the paid claims has been about $2,640.

Exhibit D contains a list of claims now before the department, 12 in all, amounting to $42,201.71, or about $3,500 each. On the same sheet is a list of cases made up, but not yet forwarded to the department, 12 in number, amounting to $27,917.12, or about $2,300 each.

Assuming that the pending unsettled cases would average about $2,900 each, they would amount in all to $1,885,000. The accumulating interest and costs are, of course, greater upon the suits pending than upon those that were adjusted long ago.

This method of estimating the probable amount which may be recovered in the pending suits is very uncertain, but is the best that presented itself to the mind of the inspector.

The claims as they appear upon the papers are probably much larger than they would appear when adjusted by a verdict or by a reference; and it is impossible to gain any more accurate information as to the amount than appears above.

The inspector reports that the district attorneys, upon the assumption that only 400 cases were pending, estimated that about $900,000 would be needed to satisfy them.

Certified statements of claims, amounting to $39,213.99, are now on file in this department unpaid for want of an appropriation, and it is reported that other judgments to the amount of $27,917.12 have been already rendered, certificates of which have not yet been forwarded.

Suits now pending.—It is understood that the suits now pending in both the districts of New York were originally commenced in the State courts; the act of February 26, 1845, vol. 5, p. 727, being construed to give a common-law remedy in these cases. All the suits were brought by A. W. Griswold and Alfred Douglass, as attorneys, in the State courts. They acted each in his separate class of suits, and have not acted, it is said, even in harmony in conducting them. Mr. Griswold till represents his cases. Douglass died about a year since, and is represented by E. D. Smith, esq., formerly district attorney of the southern district of New York. All the suits, except 64, were transferred from

the State courts to the circuit court for the southern district of New York. These 64 cases, which are all against Ex-Collector Redfield, were transferred to the northern district, where they are still pending, as Mr. Redfield had his residence within that district. The situation of these 64 cases will be considered in another place.

Causes of delay in these cases.—Most of these cases have been pending sixteen or seventeen years, and the inquiry is at once suggested, why such delay should have occurred.

It is well understood that the docket of the court for the southern district of New York has been long crowded with cases. But this is no reason for such delay as has occurred in these cases, because, as will be seen, the cases do not occupy much time in court, but are investigated before referees, and the reports of referees only are acted upon by the court.

If we look at the form of proceeding, it will be seen that, although verdicts are rendered in the cases, very little progress toward the conclusion of the cases is made by the trials in court. For illustration we will look at the trial of H. E. Gillelan et al. *vs.* H. J. Redfield, before Judge Shipman on the 2d of May, 1861. The jury was impaneled and two witnesses were sworn, when, as the record says, by consent of counsel the jury found a verdict for the plaintiffs for the amount, with interest, of the difference between duties paid under protest on commissions at 2½ per cent. and such duties if levied on commissions at 2 per cent. on all importations, specified in the bill of particulars, from the continent of Europe, except Paris, and also for the difference between duties on 2½ per cent. commission and such duties if levied on 1½ per cent. commission on importations from Great Britain, except Yorkshire, the amount to be adjusted by the collector of customs at New York, and to be reported to the clerk of this court.

It will be observed that all importations specified in the bill of particulars are included in the finding, and these were often very numerous.

It will be seen that the whole labor of adjustment was thus referred to the collector of customs, who was to report his results to the clerk of the court. For some reason, which does not appear, this practice was afterward changed, and the cases were sent to referees, who in theory made the examinations, but who in fact depended upon the custom-house officers for their results, since it is understood that nowhere else except at the custom-house could the data for these results be obtained. The form of procedure involved, necessarily, considerable time, but does not by any means account for the delay of sixteen or seventeen years. The delay may be more properly accounted for by the changes in the district attorney's office and the changes of officers and policy in the Treasury Department. An examination shows that since October 4, 1856, the date of Secretary Guthrie's order above cited in these cases, there have been twelve Secretaries of the Treasury, fourteen Attorneys-General, and nine district attorneys of the southern district of New York. It would not be strange if there has been some diversity of views or even some want of intelligent action in the conduct of the defense of these suits.

It is noticeable in this connection that, while at the accession of each new Secretary of the Treasury and of each new district attorney to office a new investigation has become necessary to their understanding of these cases, in some instances the retiring officers of the government, who had been educated in these cases at the government expense, have been at once retained as counsel for the plaintiffs. One Attorney-General, one Solicitor of the Treasury, one district attorney for the south-

ern district of New York, and one special agent are illustrations of this statement. It will be readily seen that the department must be peculiarly embarrassed by finding itself suddenly opposed by its own officers as counsel for the claimants.

The records show that there has been a continual controversy as to stipulations and agreements which, the plaintiffs have claimed, have been from time to time made by this department.

The act of 1839, which, with additional limitations, is embodied in section 3012½ Revised Statutes, provided that when the Secretary is satisfied that more money has been received by the collector than should have been received for customs duties, he shall refund the same; and in most classes of refund cases it is insisted that the Secretary, after a principle governing a class of cases had been settled in the courts, to save delay and expense has adjusted the other cases falling within the principle, and that assurances were given by the department in these cases that adjustments would be made without suit after the principles of law had thus been settled. To this claim, which has been pressed as an equitable one upon every district attorney, upon every Solicitor of the Treasury, and upon every Secretary of the Treasury upon his accession to office, may be attributed a greater part of the delay which has occurred.

It would seem that the plaintiffs could have no interest in delaying the judgments in their favor; and it is evident that the greater the delay has been, the more difficult has it been for new officers of the department to gain a clear apprehension of the situation of the cases.

Fraudulent protests.—It is suggested, by one of the officers who has conducted the investigation at New York, that protests may have been fraudulently filed after the lapse of the proper time for filing them.

It is understood that the want of timely and proper protest goes to the jurisdiction of the court, and must, therefore, become a question of fact in each case. A general suggestion that false protests may have been filed is only valuable for the purpose of calling the attention of the government counsel to the necessity of strict proof of such protest in the trial of each case. The fact whether there was or was not such protest must be tried in court like any other material fact, and the opinion of any officer of this department can avail nothing in the trial of that issue. The facts stated by the officer who has reported upon the points will not go far toward rendering it probable that any such falsification of the record of the court could be proved.

Interest.—The claims in these cases, being against the collector personally, bear the New York rate of interest, 7 per cent.

It has been suggested by one of the officers that interest has been improperly compounded by adding to the report of the referee, which includes interest and costs, interest to the time of the judgment, and then again upon the full amount of such judgment to the time of payment. These are matters of detail which must be directed by the court under the supervision of the counsel for the government.

Costs.—It has already been observed that the verdicts, one of which has been cited, were rendered for the amount to be adjusted by the collector of customs and to be reported to the clerk of the court. There seems no good reason why this practice should not have been continued. But it appears that in a great majority of cases a referee has been appointed, generally Hon. Edwards Pierrepont or John I. Davenport, esq.; and in such cases the referee's fees and the expenses of making up the report are included in the judgment and paid by the government.

Nearly all the pending cases have been referred to Mr. Davenport.

Mr. Tompkins, in his report, says:

It is a well understood fact that the referee in these cases has nothing whatever to do, *except to sign his name* when the certified statements are ready for payment. Mr. Davenport may have strong reasons to urge why he should be paid these large fees for doing nothing, but I know of none. I would strongly urge that the district attorney be directed to have the orders referring these cases to Mr. Davenport vacated, and to have a new order entered referring them to the collector of the port as referee.

Mr. Tompkins says he has examined but two taxed bills of costs in these cases, both of which he gives in his report, and one of them is here transcribed as follows:

United States circuit court, southern district of New York.

WM. WATT ET AL.
vs.
H. J. REDFIELD.

Plaintiff's bill of costs.

Docket-fee	$10 00

Disbursements.

Affidavit	25
Subpœna	1 00
Service summons	1 00

Witnesses' fees.

Fred. Ogden, 75 days	112 50
C. A. Arthur	1 50
A. H. Laflin	1 50
Clerk's fees	26 85
Referee's fees	250 00
Additional interest on $8,588.81 from December 30, 1872, to February 11, 1873.	70 24
	474 84

Mr. Tompkins remarks upon the witness-fees to "Fred. Ogden—75 days—$112.50":

This money was paid Ogden, not as witness-fees, but for making up the certified statement upon which the money was paid by the department, and which constituted the only report made by the referee in the case. In other words, the referee, instead of making up the report himself as he was paid to do, hires Ogden to do it; but he does not pay Ogden out of his fee, as would apparently be simple justice, but charges the amount in his bill of costs, and thus the government pays twice for the same work. If the collector had been referee, the amount saved in this one case would have been $366.50.

All these matters are, however, within the jurisdiction of the court to order; and it is the duty of the counsel for the government to call the attention of the court to them, and to see that only the proper costs are allowed.

Cases reopened.—As if to make these cases absolutely interminable, the court, upon motion of the plaintiffs, has recently granted a motion to reopen twenty-three of them in which judgments had been entered at various times from 1860 to 1866.

The motion to reopen was filed on the 27th of December, 1866, and notice thereof was given to the district attorney. On the hearing upon said motion affidavits were filed tending to show, and showing to the satisfaction of the judge, that there were important omissions in making up the claims embraced in the suits, and the motion prevailed. On the 27th of January, 1877, the court, Judge Blatchford,

Ordered that the judgment entered in the above submitted causes upon the verdicts therein be vacated, and that the assessments of the plaintiffs' damages under the verdicts in said causes be referred to John I. Davenport, esq., as sole referee.

And it is further ordered that the referee proceed to adjust *de novo* the plaintiffs'

damage under said verdicts in accordance therewith, and from the amounts found due, if any, he deduct the sums paid upon the judgment heretofore entered in each of said cases respectively, and that he report the balance, if any, found due the plaintiffs in each of said cases.

Mr. Tompkins estimates, without any very reliable data, that the additional amounts to be refunded in these twenty-three cases may reach from $75,000 to $100,000.

It appears that other cases than these have also been reopened; but we have no information as to the number or the amount.

It should be remarked as to reopening these cases that it is, of course, done only on order of the court having proper jurisdiction, and that the department in no way intervenes in the matter except by instructing its counsel to resist such motions in all proper cases.

The sixty-four cases.—The history of these cases is peculiar. After most, if not all, of the other charges and commissions cases had been commenced, Douglass and Griswold, attorneys, ascertaining that some cases had been overlooked, made arrangements, each acting independently of the other, with different members of existing firms, and sometimes with different members of firms which had been dissolved, and these sixty-four cases, like the others, were entered in the State courts. It is understood that in this way two suits for the same cause of action were, in many instances, commenced, and that a large proportion of the sixty-four cases may, upon this ground, be defeated. They are all against Ex-Collector Redfield, and, as has been stated, were transferred to the circuit court in the northern district of New York for trial.

The early record of the cases is not before us; but it appears that Messrs. Webster and Craig were employed for the government, and they have continued in charge of the suits to the present time.

The statute of limitations was pleaded in each case, to which there was a replication that the defendant within six years next before the commencement of the suit had renewed and ratified the promises in the declaration alleged. To this replication a rejoinder was filed by the defendant, denying the alleged new promise, upon which an issue was joined.

The rejoinders appear to have been filed on the 4th of April, 1872. The cases were noticed for trial at several terms from that time to March 14, 1874, when the plaintiffs served on the defendants a bill in equity asking for an injunction. And such proceedings were had that on the 30th of April, 1874, a provisional injunction was issued by Mr. Justice Smalley, in part as follows:

It is ordered and adjudged by the court that the defendant, and his attorneys and solicitors, be strictly enjoined from proceeding and insisting upon the trial of any of said sixty suits in a court of law, upon the pleas of the statute of limitations, until the further order of the court, on condition that the plaintiffs in each of the aforesaid sixty suits named in the bill file a stipulation with the clerk of this court, that in case they recover judgment against the defendant therein, a certificate of probable cause shall be issued by the court rendering the judgment; and further, that neither of the plaintiffs shall, in any event, issue execution, or enforce said judgment, in any way, against said Redfield or his property.

The evidence upon which this injunction was granted is not produced, but sufficient appears to show that the plaintiffs relied for evidence of the alleged new promise upon agreements entered into by the Treasury Department that the cases should be settled in accordance with an alleged general order of the Secretary for the refund of duties collected in such cases.

It is alleged in the bill that certain cases of the same character had been tried in the southern district of New York and in California, where

it was decided and adjudged that such cases of duties were illegally exacted, and the same were repaid by order of the Secretary of the Treasury.

The order of the Treasury Department, signed by Secretary Guthrie, of October 4, 1856, is annexed to the bill for injunction, directing Collector Redfield to prepare the usual certified statements for return of "duty on freight."

Another Treasury order, dated May 27, 1857, and signed by Secretary Cobb, is also annexed, directing Collector Redfield to prepare and transmit to the department the usual certified statements for a return of the duty erroneously exacted on commissions in excess of the "usual commissions" charged in China, Sweden, Norway, Holland, and German ports.

Another order, of May 21, 1863, by Secretary Chase, to the same effect, is also annexed to said bill.

It was also alleged that Mr. Redfield, after he was out of office, had admitted that there had been an excess of duties paid, and declared that the statute of limitations should not run against the claims. It was also alleged that the Secretary had made the same declarations.

It was denied on the part of the government that the orders of the department above cited amounted to a promise to pay, or that such promise by the department would be valid. It was contended that the department orders amounted only to a promise to ascertain what duties had been actually received; and, as the plaintiffs' declarations contain no particulars, it was contended that no general promise to investigate and ascertain the just claims could amount to a direct promise to pay the claims which the plaintiffs proposed to specify in other suits.

Another question was also raised in the cases, namely, whether the six years of limitation had actually elapsed, it appearing that the defendant, Redfield, was absent from the State of New York eleven months of the time, and that, deducting the term of this absence, the six years had not elapsed.

On a hearing before Mr. Justice Woodruff, the provisional injunction was dissolved, and the questions raised in the cases were carried on writ of error to the Supreme Court of the United States, where they are still pending.

Conclusion.—Considering the adverse decisions of the courts, the opinion of the Attorney-General, and the almost uniform action of the department upon the assumption that these claims are legal, there seems to be no other course open to the department than to bring the suits as speedily as possible to an end.

To accomplish this they should be referred at once to the collector of the port of New York, so as to save the fees of referees; and clerks enough should be detailed to make up the statements in the cases as speedily as possible, so that judgment may be entered. This labor will require the temporary increase of the force at the custom-house.

The importance of employing not only competent but honest and reliable clerks to make up these statements is manifest. The amount of damage in each case found by the referee must depend upon the faithfulness with which the records of the custom-house are examined and reported. A single dishonest officer engaged in this business may unfairly increase the amounts of the judgments hundreds of thousands of dollars.

The courts have decided that only certain charges and certain commissions have been overrated in making up the data. It by no means

follows that the claims which the plaintiffs set up are not grossly exaggerated or false.

It has been seen that the referee, in fact, only signs the statements prepared by the custom-house clerks. It would be hardly possible for the district attorney or any counsel for the government to follow the details of the investigations at the custom-house. In short, the amount to be paid by the government must depend upon the competency and integrity of these minor officials, rather than upon the ability or integrity of the counsel or court.

It is not practicable, perhaps, to investigate the cases in which judgments have already been entered, for the purpose of correcting possible errors; but it is practicable, by the investigation of the methods in which the records at the custom-house are kept, and by consultation with the officers there and the employment of proper persons to attend to the details of the claims still to be adjusted, to prevent the allowance of false claims in future.

It is well known that information has been given to the department that extensive frauds have been practiced in making up the judgments in these cases in the custom-house at New York. It is alleged that money has been paid to various officers there for the purpose of procuring their aid for particular claimants in that class of suits.

In such cases, where the judgments have been satisfied, it is, perhaps, impossible to revise the judgments thus rendered and recover the amounts fraudulently obtained. Should the evidence be conclusive enough in the mind of the Secretary to justify such a course, he may communicate to Congress his opinion upon the subject and the evidence upon which it is founded, with a view to an investigation of the subject and a suspension of appropriations for the payment of judgments in these cases, should such a measure be deemed proper.

Second. *Claims for refund of* 50 *per cent. additional duty, by virtue of section* 20 *of the act of June* 30, 1864 (U. S. Stat. at L., vol. 13, p. 216).—These claims arise upon the following state of facts:

The joint resolution of April 29, 1861 (Stat. at L., vol. 13, p. 405), provided that, until the end of sixty days from the passage of the joint resolution, 50 per cent. of the rates of duties then imposed should be added to the present duties, except on unsized printing-paper.

By the 20th section of the act of June 30, 1864, it was provided that the joint resolution should be deemed not to have taken effect until after the 30th day of April, 1864, and that it should continue in force until and including the 30th day of June. This cut off two days from the beginning of the joint resolution, and added two days at the end, and the duties which are now being refunded are those which were exacted on goods imported on the 29th and 30th days of April, in accordance with section 20 of the act of June 30, 1864 (vol. 13, p. 216). The opinion given by the Attorney-General in these cases is that that section of the law was mandatory upon the Secretary to refund the duties overpaid on goods imported on these two days. None have been paid since the 4th instant. The only point of inquiry in these cases is, whether the 20th section of the act of June 30, 1864 (vol. 13, p. 216), can be regarded as still in force, the Revised Statutes not having incorporated it. The repealing section leaves the matter somewhat in doubt. The opinion of the Attorney-General assumes that it is in force.

Third. *Additional duty of one cent per pound on third-class wool.*—Under Schedule L, October 21, 1875, the department decided that where the export duty at the port of exportation added to the market-price of the

wool carried the value of third-class wool above 12 cents per pound, an additional duty of one cent per pound should be assessed under section 2908 of the Revised Statutes. The legality of this decision was referred to the Attorney-General, who gave an opinion directly against it, and in accordance with that opinion the department promulgated decisions of March 25, 1876, August 19, 1876, and October 25, 1876. In consequence of this action judgments were allowed to be entered by consent against collectors of customs for recovery of the one cent per pound additional duty where protest, appeal, and suit had been duly instituted. This action was taken upon the recommendation of the Attorney-General.

Fourth. *Fancy and striped Italian cloths.*—These goods had been classified, under the decision of this department, under the general provision for manufactures of worsted, subject to duty at the rate of 50 cents per pound and 35 per cent. *ad valorem.* Importers protested, appealed, and brought suit, claiming that the goods were Italian cloths, and only dutiable when valued at 20 cents or less per square yard at the rates of 6 cents per square yard and 35 per cent. *ad valorem*, and when valued at over 20 cents per square yard at 8 cents per square yard and 40 per cent. *ad valorem.* A case involving the question was tried in the United States circuit court for the southern district of New York, in which the judgment was adverse to the government. A report of the case made by the district attorney was submitted to the Attorney-General, who certified that, in his judgment, no writ of error could properly be taken to the United States Supreme Court. (In this connection, see act of March 3, 1875, vol. 18, p. 469, which limits and restricts the refunding of customs duties.) The department acquiesced in the opinion of the Attorney-General, and directed the necessary papers to be prepared for refund of the difference between the duties paid and those claimed.

Fifth. *Fancy and diagonal black alpacas.*—These goods were classified as manufactures of worsted under Schedule L, the importers claiming them dutiable as women's and children's dress goods under the same schedule. The question involved was whether they were properly women's and children's dress goods. Upon a trial of the case in the United States circuit court for the southern district of New York, involving the question, judgment was adverse to the government. The case was subsequently sent to the Attorney-General, who, on the 22d of December last, certified that no appeal or writ of error would be taken to the United States Supreme Court. The department acted in accordance with the opinion of the Attorney-General.

Sixth. *Rice.*—Rice imported from India, and known as "native-cleaned patna rice," was assessed with duty on importation as cleaned rice. It appears to have been partially cleaned, but was not cleaned clean. The importers claimed that it was not the cleaned rice of commerce, but was uncleaned. Suits were brought to test the question at Boston, New York, and San Francisco. Five trials were had upon the subject. The last case tried was at Boston, and District-Attorney Sanger prepared a bill of exceptions upon which to go to the Supreme Court. The exceptions, however, were taken upon side issues, and did not relate to the main question before the court. Upon reference of the matter to the Attorney-General, that officer certified that the exceptions were not of a character demanding a review of the case by the Supreme Court, and advised an acquiescence in the judgment. The department took action accordingly.

In each of the class of cases before mentioned it will be found that a greater proportion of the duties were paid prior to the 1st of July, 1876.

DELAYS IN TRIALS.

The following extract from the annual report of the Secretary of the Treasury for the year 1876 is commended to your attention:

About three-fourths of the revenue from customs is collected at the port of New York, and the litigation arising therefrom has so crowded the dockets of the courts in the southern district of that State that great delay in the decision of tariff questions has unavoidably arisen.

Suits are brought for the reversal of decisions of the department, pending which importers are subjected to the payment, under protest, of duties which, after years of litigation, may appear to have been wrongfully assessed. In this way suits are multiplied, and trade is subjected to uncertainties and losses which a speedy final decision might obviate.

Two methods of obviating such delays are suggested. The first is the organization of a court of arbitration, such as is connected with the Chamber of Commerce of New York, with or without the power to render final judgment, as might be thought best. The second is the establishment of a revenue court in the southern district of New York, exclusively for the trial of customs-revenue cases, analogous to the court of exchequer in England, which originally had only jurisdiction of cases arising in connection with the King's revenue.

Under either system, the highest expert skill, both in law and fact, might be secured for the speedy determination of a peculiarly embarrassing class of litigated cases.

REFUNDS OF INTERNAL REVENUE TAXES.

By section 3220, Revised Statutes—

The Commissioner of Internal Revenue, subject to regulations prescribed by the Secretary of the Treasury, is authorized, on appeal to him made, to remit, refund, and pay back all taxes erroneously or illegally assessed or collected, all penalties collected without authority, and all taxes that appear to be unjustly assessed or excessive in amount, or in any manner wrongfully collected; also to repay to any collector or deputy collector the full amount of such sums of money as may be recovered against him in any court for any internal taxes collected by him, with the costs and expenses of suit; also all damages and costs recovered against any assessor, assistant assessor, collector, deputy collector, or inspector, in any suit brought against him by reason of anything done in the due performance of his official duty.

Sections 3221, 3222, and 3223 of the Revised Statutes authorize the abatement or refund of taxes in cases of spirits destroyed by casualty in bonded wharehouses.

Claims arise also for refund of taxes assessed or collected under the following sections, among others:

As to distilled spirits, claims for taxes paid through error in gauge (secs. 3249 and 3251, R. S.); for deficiencies in the production of spirits, (sec. 3309, R. S.); assessments made under section 3309, Revised Statutes, for excess of grain or molasses used; and as to fermented liquors for production presumed because of excess of material used (sec. 3339, R. S). As to tobacco and cigars, refunds are authorized on overassessment for production presumed because of excess of material used (secs. 3371 and 3396, R. S).

Many difficult questions have arisen upon claims for refunds of internal-revenue taxes; as to taxes assessed against banks and bankers upon capital and deposits (secs. 3407 and 3408, R. S).

In Selden *vs.* Equitable Trust Company (4 Otto, 419), there is a full discussion as to the definition of a "bank or a banker" under section 3407, Revised Statutes, and as to what constitutes "a person, bank, association, company, or corporation engaged in the business of banking." And it is there held that a corporation whose business is confined to the investment of its own capital in bonds secured by mortgage on real estate, and to the negotiation, sale, and guarantee of them, is not "a bank or a banker" within the meaning of section 3407, Revised Statutes.

Several cases of importance have arisen under the sections referred to, and upon the authority of this case large refunds have been made.

Cases have also arisen as to the ten per centum tax on circulating notes of certain descriptions (secs. 3212 and 3414, R. S); as to taxes paid as taxes on cotton, when, as claimed, they were paid on rope and bagging, because of no tare being deducted, as alleged, in reference to which class no less than twelve statutes require to be examined; as to taxes paid by brokers on sales of cotton (13 Stat. at L., pp. 273 and 274, and vol. 14, p. 134).

Refunds of taxes paid on *legacies and successions* form a very intricate branch of the internal-revenue refund-law. In this discussion the whole doctrine of vested and contingent estates has come up anew, and six opinions, at least, of the circuit and supreme courts have been delivered upon the subject. The facts are intricate and obscure, and the law usually more so.

See opinion of Lowell, J., in May *vs.* Slack (16 Record, p. 134), holding that legacy-taxes *accrue* on the death of the testator, although not payable until the legacy is payable. Also opinion of Shepley, J., to the same effect, in Mason *vs.* Sargent (23 Record, p. 155).

See letter of Commissioner in 23 Record, p. 254, in case of Jos. Lawrence, applying case of May *vs.* Slack, and holding that the appointee takes under the original will and not under the will appointing him. See decisions of Blatchford, J., in United States *vs.* Allen (23 Record, p. 192), that under act of 1862 the legacy-tax is imposed on executors, &c.; and of Shepley, J., in Mason *vs.* Clapp (21 Record, p. 268), holding, as to succession-tax, that in this case it had not accrued on death of testator and was not saved by section 17 of the act of July 14, 1870; sustained by Supreme Court in Clapp *vs.* Mason (4 Otto, p. 589).

As to assessed penalty of 50 per cent. for failure to make returns (section 3176, R. S.).

As to tax paid on gross receipts of expressmen (13 Stat., p. 276).

As to income-tax paid on State officers' compensation, it has generally been held by the courts that salaries paid by States to their officers were not taxable under the United States laws. (The Collector *vs.* Day, 11 Wallace, 113).

As to taxes paid upon dividends upon stocks and interest on bonds owned by a State, county, or city, see United States *vs.* Railroad Company (17 Wallace, 322).

As to taxes deducted from dividends on stocks and interest on bonds owned by non-resident aliens, see Railroad Company *vs.* Jackson (7 Wallace, 262).

Hundreds of references to decisions and rulings upon refunds of internal-revenue taxes are at hand. The subject involves a very nice analysis of the statutes and of the legal principles of construction; the above is little more than a mere abstract.

INFORMERS' REWARDS.

Wide discretion is given to the Secretary of the Treasury with regard to allowances to informers, both in relation to customs-duties and internal-revenue taxes. By the act of March 2, 1867 (vol. 14, p. 546), the proceeds of fines, penalties, and forfeitures incurred for violation of the laws respecting customs-revenue, after deductions of charges and expenses and the amount of duties, are divided as follows: One-half to the United States, one-fourth to the informer or officer making the seizure, the remaining fourth to be equally divided between the collector,

naval officer, and surveyor for the district in which the seizure is made, or if there be only a collector, then to the collector. In case an officer of a revenue-cutter is the informer, the proceeds are divided as follows: One-fourth to the United States, one-fourth to the officers of the customs, and the remainder to the officers of such revenue-cutter in proportion to their pay.

Section 2, of the act of 1867, contains very stringent provisions for the seizure of books and papers. The provisions of that act had been very harshly enforced in several well known cases, and the subject was brought to the attention of Congress in connection with the Sanborn contracts, so called, to which we shall have occasion presently to refer.

By the act of June 22, 1874 (vol. 18, p. 186), all provisions of law, under which moieties of any fines, penalties, or forfeitures under the customs-revenue laws or any share therein were paid to informers, are repealed, and the proceedings for compelling the production of books and papers in civil proceedings are essentially modified.

The act of 1874, which is now in force, provides, by section 4—

> That whenever any officer of the customs or other person shall detect and seize goods, wares or merchandise, in the act of being smuggled, or which have been smuggled, he shall be entitled to such compensation therefor as the Secretary of the Treasury shall award, not exceeding in amount one-half of the net proceeds, if any, resulting from such seizure, after deducting all duties, costs and charges, connected therewith.

And whenever any person, not an officer, shall furnish original information concerning any fraud upon the customs revenue, perpetrated or contemplated, which shall lead to the recovery of any duties withheld, or any fine, penalty or forfeiture incurred, such person may be paid such compensation, under the direction of the Secretary, as may be just and reasonable, not exceeding in any case $5,000.

Section 5 provides for compelling the production in courts of books and papers, upon application to the court and notice to the defendant, and allows an examination of such books and papers, under the direction of the court, by the government-attorney, the owner of the books or papers retaining the custody of them, except pending their examination in court.

Section 6 provides that no payments shall be made to any person furnishing information in any case wherein judicial proceedings shall have been instituted, unless his compensation shall have been established and the value of his services certified by the court. But no certificate of the value of such services shall be conclusive of the amount thereof. When any fine, penalty or forfeiture is collected without judicial proceeding, the Secretary of the Treasury shall require satisfactory proof that such person claiming is justly entitled thereto.

Section 6 is construed not to apply to officers or others named in the first clause of section 4, who shall "detect and seize" smuggled goods. The Secretary may award to them their compensation without the certificate of a court.

It will be observed that the discretion of the Secretary is, by the existing law, unlimited as to the amount of compensation to be awarded, not exceeding in any case $5,000. In practice the Secretary usually allows in such cases from 25 to 35 per cent. of the amount recovered.

The act of 1874, which has just been considered, is limited to the customs-revenue laws.

INFORMERS' REWARDS UNDER INTERNAL-REVENUE LAWS.

In the general appropriation bill of May 8, 1872 (vol. 17, p. 69), was enacted the provision under which the well-known Sanborn contracts

were executed. It provides that the Secretary of the Treasury may employ not more than three persons to assist in discovering and collecting any money belonging to the United States, whenever the same shall be withheld by any person or corporation, on such terms and conditions as he shall deem best for the interests of the United States, no compensation to be paid except out of the money and property so secured, and no person to be employed who shall not have fully set forth in a written statement, under oath, the character of the claim which he proposes to recover, the laws by the violation of which the moneys have been withheld, and the name of the person, firm or corporation having thus withheld such moneys.

It would seem that there is nothing in this provision very objectionable. The excitement which arose against the Sanborn contracts was due, perhaps, more to the fact that the monopoly provided for in the act of 1872 was granted to an individual upon a very loose compliance with the provisions of the statute, than to any inherent defect in the law itself.

The result of the investigation of the Sanborn coutracts was the repeal, by the act of June 22, 1874 (vol. 18, p. 192), of the provision of the act of 1872 under which those contracts were executed. The repealing act directed the Secretary of the Treasury to revoke and annul all contracts made under said provision, and forbade the Court of Claims from considering any claims for damages by reason of the discontinuance of the contracts or for any profits or percentage under them.

The law now in force with regard to informers' rewards under the internal-revenue laws is found in section 3463 Revised Statutes, which provides that—

> The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is authorized to pay such sums, not exceeding in the aggregate the sum appropriated therefor, as he may deem necessary for detecting and bringing to trial and punishment persons guilty of violating the internal-revenue laws, or conniving at the same, in cases where such expenses are not otherwise provided for by law.

Under this provision the Commissioner of Internal Revenue, by circular order No. 99 of December 1, 1875, offers for information, given by others than officers of the internal revenue or persons employed in connection with the internal-revenue service, that shall lead to the detection and punishment of persons guilty of violating the internal-revenue laws, &c., such reward as the Commissioner of Internal Revenue may deem suitable, but in no case exceeding ten percentum of the net amount of fines, penalties, forfeitures, or taxes which, by reason of said information, shall be recovered and actually paid to the United States.

In analogy with the limitation of the amount payable to informers for violation of the customs-revenue laws, the Commissioner of Internal Revenue has ordered that in no case shall more than $5,000 be paid to informers under the internal-revenue laws.

There can be no doubt that the effect of the act of June 22, 1874, vol. 18, p. 86, entitled "An act to amend the customs-revenue laws and to repeal moieties," has essentially lessened the proceeds of fines, penalties, and forfeitures recovered for the violation of customs laws.

This matter is set forth in the recent annual report of the Secretary of the Treasury, by which it appears that the proceeds of such fines, penalties, and forfeitures paid into the Treasury has decreased from the sum of $952,579.86 for the year ending June 30, 1871, to $146,413.21 for the year ending June 30, 1877. The smallest sum received within the term indicated before the repeal was for the year ending June 30,

1874, $651,271.76, and the largest sum after the repeal was for the year ending June 30, 1875, $228,870.23.

The collector of customs at New York submitted to the commission which examined that custom-house a table which showed that in 1873 the seizures at that port amounted to $773,310.09; that in 1877 the total amount was $120,131.09; and he expressed the opinion that the above figures represent a loss of many millions to the government, caused by a comparative safety to those who are undertaking and accomplishing great frauds upon the government.

It is certain that the business of an informer is not of that agreeable and popular character that any person will enter into it except with the expectation of large rewards in case of success.

There is no doubt that enormous frauds are systematically carried on, and that the government annually loses millions through the violation of its customs and internal-revenue laws. No other methods are known by which these frauds can be detected and the revenues properly collected except those practiced by informers and detective officers. And it is for Congress to determine whether the government shall submit to such frauds upon its revenues, rather than to make it for the interest of employés and agents of fraudulent importers to become informers and witnesses rather than aiders and abettors in fraudulent practices.

FEES OF DISTRICT ATTORNEYS.

Numerous questions are constantly arising before the department as to the allowances to be made to district attorneys for their compensation.

Section 770, Revised Statutes, provides that—

> The district attorney for the southern district of New York is entitled to receive quarterly, for all his services, a salary at the rate of six thousand dollars a year. For extra services, the district attorney for the district of California is entitled to receive a salary at the rate of five hundred dollars a year, and the district attorneys for all other districts, at the rate of two hundred dollars a year.

This provision is construed as giving to the district attorney the sum mentioned for general services outside of the particular services named in the fee-bill. And in the various sections granting compensation in special cases, although in terms for "extra services," the amount is in fact allowed as the regular salary of the district attorney. There is no other provision in the law for the payment of a fixed salary to a district attorney. The rest of his compensation accrues in the shape of fees.

Various duties are required to be performed by district attorneys under special provisions of law; and in many cases it is doubtful whether or not they are entitled to special compensation for such services.

By section 771, Revised Statutes, it is the—

> Duty of every district attorney to prosecute in his district all delinquents for crimes and offenses cognizable under the authority of the United States, and all civil actions in which the United States are concerned, and, unless otherwise instructed by the Secretary of the Treasury, to appear in behalf of the defendants in all suits or proceedings pending in his district against collectors, or other officers of the revenue, for any act done by them, or for the recovery of any money exacted by or paid to such officers, and by them paid into the Treasury.

This, it will be observed, does not specially provide for payment for the services enumerated therein:

By section 827, Revised Statutes—

> When a district attorney appears, by direction of the Secretary or Solicitor of the Treasury, on behalf of any officer of the revenue in any suit against such officer for any act done by him, or for the recovery of any money received by him and paid into the Treasury in the performance of his official duty, he shall receive such compensation as may be certified to be proper by the court in which the suit is brought, and approved by the Secretary of the Treasury.

This section is a re-enactment of a provision of the act of 1863, which provided that, when the district attorney appears by direction of the Secretary or Solicitor of the Treasury, or "any other proper officer of the government," in suits against collectors, &c., he shall be allowed compensation.

In suits commenced under the act of 1863, which was amended by section 827, Revised Statutes, district attorneys were allowed compensation where they appeared by direction of the collectors of customs; and it is understood that, without notice of amendment, allowances have continued to be made coming within its provisions, where the collector has authorized the services, although no express authority has been given by the Secretary or Solicitor of the Treasury.

Very recently the question has arisen whether allowances can be made for any services under that act unless upon express instructions of the Secretary or Solicitor of the Treasury, directly given, to perform the services in question.

By section 299, Revised Statutes, the accounts of district attorneys for services rendered in cases in which the United States is interested, but is not a party of record, orin cases against the officers, &c., of the United States for acts committed or omitted, or suffered by them in the lawful discharge of their duty, shall be audited and allowed as any other cases, assimilating the fees as near as may be to those provided by law for similar services, &c.

This section certainly implies that district attorneys in the class of cases described therein are to be paid for their services.

By a strict construction of section 827, Revised Statutes, it may be held that they shall only be compensated in the cases where they are specially directed to appear.

The three sections under consideration may be so construed as to be strictly consistent. By section 771, Revised Statutes, the district attorney is required to appear in all cases of a certain class. By section 827, Revised Statutes, when he appears in such cases by direction of the Secretary or Solicitor of the Treasury he may be compensated for his services. And by section 299, Revised Statutes, all accounts for such services shall be audited and allowed, assimilating the fees to those provided by law for similar services.

This construction, although, perhaps, the only one which harmonizes the provisions of these sections, is more stringent against the allowances to district attorneys than has ever in fact prevailed in the department.

Actions against collectors for illegal assessments of duties constitute by far the largest class of claims coming within each of the three sections, and these have been defended by the district attorneys by direction of the collectors of customs, which has hitherto been held sufficient, and large allowances have been made for such services.

It certainly would be much more just to make the allowance to the district attorney for his services depend upon his showing that he appeared in a case where he ought to have appeared, rather than upon the fact that he had procured a direction from the Secretary or Solicitor to appear in advance of performing any services. After the services were performed the department could form some judgment as to the propriety of his appearing. Before an appearance is entered the department would have no means ordinarily of knowing much about the matter.

It is evident that some legislation upon this subject is required, and this will become still more clear when we proceed to examine the vari-

ous provisions of law under which district attorneys are entitled to receive compensation.

There being no fixed salary for a district attorney, unless the allowance of $200 a year under section 770, Revised Statutes, be regarded as such, compensation must be found in the various allowances scattered throughout statutes for fees in special cases.

Under section 833, Revised Statutes, every district attorney shall report on the 1st days of January and July all fees and emoluments received by them.

Section 834, Revised Statutes, excepts the 2 per centum allowed under section 825, Revised Statutes, and the fees allowed for defending suits against government officers, &c., by section 827, Revised Statutes.

Under section 835, Revised Statutes, no district attorney shall retain more than $6,000 a year from the fees and emoluments which he is required to include in his semi-annual returns.

Under section 836, Revised Statutes, the district attorney for the southern district of New York shall receive above his $6,000 a year such sum as the Attorney-General shall fix to pay the proper expenses of his office.

Under sections 836 and 4646, Revised Statutes, the district attorney is allowed a just compensation for services in prize causes, to be determined by a court and paid as costs in the causes.

Under section 838, Revised Statutes, every district attorney, to whom any collector of customs or of internal revenue shall report any case in which any fine, penalty, or forfeiture has been incurred in the district of such attorney, shall cause proper proceedings to be commenced and prosecuted for such fines, penalties, and forfeitures.

For the expenses incurred and services rendered in such cases the attorney shall receive such sum as the Secretary of the Treasury shall deem just and reasonable, upon the certificate of the judge; provided, that the annual compensation shall not exceed the maximum prescribed by law by reason of such allowance and payment.

Under section 843, Revised Statutes, allowances for personal compensation of district attorneys shall be made from the fees and emoluments of the *calendar year*.

Under section 846, Revised Statutes, the accounts of district attorneys shall be examined and certified by the district judge before being presented to the Treasury Department. They shall then be subject to revision upon their merits by the accounting officers, as in case of other public accounts.

Under section 3081, Revised Statutes, collectors may release, subject to the approval of the Secretary of the Treasury, any property seized, the appraised value of which shall not exceed $1,000, on payment of the appraised value thereof.

Under section 3083, Revised Statutes, a report of seizures made shall be given to the Secretary of the Treasury; and under section 3084, Revised Statutes, to the district attorney.

Under section 3085, Revised Statutes, the district attorneys shall cause suit to be commenced and prosecuted, unless they decide that conviction cannot be obtained or that the ends of public justice do not require such suit to be prosecuted, in which case they shall report to the Secretary of the Treasury.

For expenses incurred and services rendered in prosecutions for such fines and penalties, they shall receive such allowance as the Secretary of the Treasury shall deem just and reasonable, upon the certificate of the judge.

These fees are to be returned in the semi-annual returns. See section 834, Revised Statutes, which refers to this section.

Conclusions.—The district attorney may receive out of his fees and emoluments, of which he makes return, not exceeding $6,000 a year, also his 2 per cent. on money collected by section 825, Revised Statutes, also his fees for defending suits against United States officers, &c., under section 827, Revised Statutes. But if his fees so returned exceed $6,000, he cannot receive anything more under sections 838 and 3085, Revised Statutes.

If his fees for the calendar year do not exceed $6,000, he may receive pay for certain services under section 838 and 3085, Revised Statutes, both of which seem to relate to fines, penalties, and forfeitures, and cover the same class of cases. They both refer to the same act of the 3d of March, 1873, as their basis. He may also receive compensation for services in prize cases.

What fees may be allowed under sections 838 and 3085, Revised Statutes, is a question for consideration.

The First Comptroller is understood to hold that under said sections only fees for preparation before trial can be allowed, inasmuch as the fee-bill provides for and fixes the fees for services in court.

This is a very important point, because large claims are filed for services in court in trial of cases under said sections 838 and 3085, Revised Statutes.

The Comptroller's rule is not satisfactory to the attorneys, who claim that under said sections 838 and 3085, Revised Statutes, they are entitled to be paid reasonable fees for their services in court as well as those preliminary to trial.

The fee-bill, section 824, Revised Statutes, allows to district attorneys, on a trial before a jury or a final hearing in equity or admiralty, a fee only of $20. It is not unusual that a jury trial may occupy five, ten, or even forty days in court. In one of the whisky trials of great length in Missouri, in which special counsel were paid $10,000 fees by the government, the district attorney, who had assisted faithfully throughout the trial, presented his bill under section 838, Revised Statutes, for compensation, and the accounting-officers disallowed it, because the fee-bill limits the fee for a trial in court to $20. The Secretary had no power to make just compensation for the trial, but could only allow him a reasonable fee for the preparation of the case for trial.

It is quite manifest that more legislation is necessary to define the compensation which district attorneys should receive. The tradition of the department is that the various amendments, to which we have referred increasing the allowances of district attorneys, have been made at the suggestion of friends in the interest of the district attorney for the southern district of New York. Whether that be true or not, the allowances made to that officer in some of the past years have exceeded $30,000; an amount which certainly would not be deliberately allowed to that officer were the subject now before Congress.

The following order of the Secretary was designed to remedy such abuses in future:

WASHINGTON, D. C., *June* 4, 1877.

From and after the first day of July next, the allowances made to district attorneys for services under the provisions of section 827, Revised Statutes, or any other law authorizing allowance of fees by the Secretary of the Treasury, or with his concurrence or approval, shall not exceed during any fiscal year the sum of $4,000, or a *pro rata* amount for any quarter of such fiscal year.

The best way to settle the whole matter of fees of district attorneys is to prescribe by law a fixed annual salary, and require payment into the Treasury of all fees and emoluments.

CLAIMS FOR PROCEEDS OF COTTON UNDER SECTION 5, ACT OF MAY 18, 1872.

By the act of May 18, 1872, section 5, the Secretary of the Treasury was authorized and directed to pay to the lawful owners or their legal representatives, out of any moneys unappropriated, the net proceeds actually paid into the Treasury of all cotton seized after the 30th day of June, 1865, by agents of the government unlawfully and in violation of their instructions.

No claim was to be considered for cotton seized before the 30th day of June, 1865, nor any claim not filed within six months after the passage of the act.

This act restored, with certain limitations, the jurisdiction exercised by the Secretary before the moneys derived from captured and abandoned property were covered into the Treasury.

For seizures after the 30th of June, 1865, it was made exclusive, and without appeal to any court.

He was made by Congress the sole judge of the proper meaning of the act, the admissibility of evidence, and the effect of the evidence presented.

Under the provisions of this act many claims were presented in general conformity to a series of regulations issued by the Secretary; among these it was required that the claimant should make oath, as preliminary to any examination, that he was the lawful owner of the cotton at the time of the seizure, and that his affirmation in respect to all material allegations should be supported by the affidavits of two credible witnesses.

Almost all of the 1,336 claims presented were so sworn to. Upon examination it was found that in the large majority of cases the cottons claimed had been sold by the claimants to the Confederate States, and had been paid for in Confederate money or bonds.

In most of the claims this fact was not revealed in the petitions, though in some it was stated, and the effect avoided by the allegation that such sales were illegal and void in law, and that the cotton was never delivered. In fact, the averments of title in such cases were regarded by the department not as willful perjuries, but as conclusions of law, viz:

That as the sales were supposed to have been in violation of law, for illegal considerations, which proved valueless, and as the cotton was not removed from their possession by the Confederate States, there was no delivery, and the title did not pass but remained in the claimants.

These were not the conclusions of law arrived at by the Secretary. On the contrary, he decided that such sales, where the property was retained in the actual possession of the vendor but under a written agreement signed by him to keep it safely and to make actual delivery when required by the Confederate States, divested the vendor of all legal title as between him and those States and the United States, their successors in right by conquest and capture; and that the claimants were not the "lawful owners" within the terms and intent of the statute at the time of the seizures.

This question was argued by able counsel in behalf of the claimants, but the decision of the Secretary was as above, and the claims were

rejected. That this conclusion was correct in law, see subsequent decisions in Blewett *vs.* United States (10 C. Cls. R., 235); Whitfield *vs.* Same, (9 C. Cls. R., 276); and 92 U. S. Rep., 165, and cases cited.

In exercising the authority given by this act, the Secretary considered himself bound by the plain letter of the law as enacted.

The law authorizes the Secretary to restore the proceeds of cotton seized by the agents of the government "unlawfully and in violation of their instructions." Agents were instructed to seize all cotton inscribed on the books of Confederate purchasing-agents as the property of the Confederate States. Claims were filed for proceeds of cotton so found and seized, in which the claimants averred that they did not sell nor bargain their cotton to any one; others alleged that they sold under duress; others that their cotton was sold by persons claiming to be their agents, but whose agency they denied; and some that the cotton was sold by persons acting in a fiduciary capacity, as executors, administrators, guardians, or trustees, but without lawful authority.

This class of cases, involving the proper construction of the statute, was argued before the Secretary personally, orally, and in writing, by eminent counsel, in behalf of the claimants.

The Secretary finally decided that he had no power under the statute to restore the proceeds of cotton, unless the cotton was seized in violation of *both* the law and the instructions given to the agents.

Cotton inscribed on the Confederate books was seized in accordance with instructions, not in violation of them; and not being seized in violation of orders, no power was given to restore the proceeds.

Again, the act authorizes the Secretary to restore to the lawful owners the "net proceeds" of their cotton seized as above and "actually paid into the Treasury." In some cases the claimants were able to prove their legal title and the unlawful seizure by agents in violation of instructions, but were unable to trace the cotton to the Treasury by direct proof, or by the records of the department, or to show by these records that cotton seized at or about the time and place alleged, and which might reasonably be identified with that claimed by them, did come into the Treasury.

In such cases the Secretary held that while it was not required that the cotton should be traced by number and mark, yet it must be proved to his satisfaction that the cotton claimed, or some part of it, reached the Treasury; and this either by direct proof of the fact, as above, or by fair inference drawn from the receipt of cotton at or about the same time and from the same place, which might reasonably be identified with the cotton claimed.

It was argued by claimants that under the authority of the decision of the Supreme Court in the case of Crussell *vs.* United States (14 Wall., 1), if a seizure by an authorized officer is proved, it must be presumed, in the absence of evidence to the contrary, that the proceeds of the property seized reached the Treasury.

The Secretary did not regard the decision in the case of Crussell as law, directing what effect should be given to like evidence in claims under the act of 1872. That act differs from the act of March 12, 1863, in this: that the latter, after directing that the proceeds of captured and abandoned property shall be paid into the Treasury, provides that the owner, on proof to the satisfaction of the court of his ownership and loyalty, shall receive "the residue of such proceeds"; whereas the former directs the Secretary, upon proof of lawful ownership, &c., to restore to the claimant the net proceeds of his cotton actually paid into the Treasury.

Under the latter act the payment into the Treasury must have been actual, and by necessary implication the proof of such payment must be actual and definitely affirmative; not based wholly upon a bare presumption.

Again, the presumption in the Crussell case arose from the fact that the seizure by the military officer was lawful, and it was presumed that he did his duty in the premises, viz, by forwarding the cotton to a Treasury agent, who also did his sworn and lawful duty by selling the cotton and paying the proceeds into the Treasury.

But in the claims under the act of 1872 it was in all cases alleged that the seizures by the Treasury agents were unlawful and in violation of their instructions. The presumption, therefore, could not arise that their illegal seizures, made in violation of duty, were followed by acts proper only in cases of lawful seizures made in accordance with instructions.

Further, the Secretary was convinced that a presumption that proceeds of cotton reached the Treasury because the cotton is shown to have been seized is not warranted by the facts indicated by the history of the collections of captured property as shown by the records and files of this department.

That seizures by government agents and their subordinates were not always followed by the transfers of the proceeds into the Treasury would appear from the fact that the number of bales sworn to by petitioners as seized from them after the 30th day of June, 1865, is 136,877, while the number of bales the proceeds of which reached the Treasury is only about 50,000.

The decision in the Crussell case had since been explained, modified, and apparently overruled in the case of Ross *vs.* United States (10 C. Cls. R., 424; 92 United States R., 281).

In review of decisions of claims under the act of May 18, 1872, when we take into consideration the fact that of the 50,000 bales seized after June 30, 1865, the proceeds of which reached the Treasury, almost all was property sold to the Confederate States during the war and captured at the close of hostilities, or was cotton which had been unlawfully acquired by companies formed for the purpose of running the blockade, and when we consider that by the restrictions of the act, as shown above, the power of the Secretary to grant relief was confined within very narrow limits, it will not be cause for wonder or complaint that the number of claims decided in favor of petitioners was small, and the amount paid inconsiderable when contrasted with the sums demanded.

Résumé of proceedings in the Treasury Department under the act of May 18, 1872, section 5.

Number of claims filed	1,336
Number of bales of cotton claimed	136,000
Estimated value of cotton claimed	$13,600,000
Number of claims rejected	1,189
Number of claims dismissed	96
Number of claims allowed	49
Number of claims pending	2
Amount paid on allowed claims	$194,801 77

CLAIMS IN THE COURT OF CLAIMS FOR PROCEEDS OF CAPTURED AND ABANDONED PROPERTY, UNDER SECTION 3, ACT OF MARCH 12, 1863.

Under the provisions of the acts of March 12, 1863, and as amended July 2, 1864, agents were appointed by the Secretary of the Treasury, whose duty it was to collect and forward to the loyal States all personal

property (except ships, boats, arms, and munitions of war) captured by the United States forces in insurrectionary States, and also to collect together and transfer, as above, all such property found abandoned, either in fact or in law, by the absence of the owner engaged in aiding the rebellion.

Such property was to be sold and the proceeds, less all expenses, were to be paid into the Treasury.

It was further provided that the owners of such property might by petition in the Court of Claims, to be filed within two years after the close of the rebellion, receive the proceeds of such property in the Treasury upon proof satisfactory to the court of their ownership of the property claimed, their right to the proceeds thereof, and that they had never given aid or comfort to the rebellion.

The jurisdiction of the Court of Claims under this act has always been regarded as separate and distinct from its general jurisdiction conferred by the acts of February 24, 1855, and March 3, 1863.

The right of action or petition given by this act must be exercised in strict conformity with its provisions, and in no other way. (Pugh's case, 13 Wallace, 633; Haycraft's case, 10 C. Cls. R., 95; 22 Wallace, p. 81.)

The right to recover the proceeds of property seized as captured or abandoned was created by the act, and there is no other remedy. (See cases above cited.)

The act provides that claims for the proceeds of the property described shall be filed within two years after the suppression of the rebellion. Unless so filed there is no remedy, for the court otherwise has no jurisdiction. (Haycraft's case, cited above.)

The Supreme Court has decided that the suppression of the rebellion was marked by the President's proclamation of August 20, 1866, and the two years allowed for the preferment of claims expired on the 20th of August, 1868. (Anderson's case, 9 Wallace, 56.)

During the time so limited many claims were filed in the Court of Claims. Up to the 30th of March, 1868, the defense of all suits rested with the solicitors of the Court of Claims; but from and after the passage of the joint resolution of that date, the defense of suits under the captured and abandoned property acts devolved upon the Secretary of the Treasury who employed special attorneys and counsel for that purpose.

This continued until the Department of Justice was established by act of June 22, 1870, when, by section 14 of that act (R. S., sec. 361), the defense of all suits in the Court of Claims was transferred to that Department, where it still remains.

The defenses against such suits have been founded upon many considerations of law and fact, which may be generally comprised in the following categories:

1st. Want of sufficient proof that the claimants were and are the "lawful owners" of the property described in the petitions. Lawful ownership in the sense of this act may be generally defined as the possession of legal title upon which an action of trespass, trover, or replevin may be maintained in courts of common-law jurisdiction. (Villalonga *vs.* United States, 10 C. Cls. R., 22; United States *vs.* Villalonga, 23 Wall., 35; Woodruff et al. *vs.* United States, 10 C. Cls. R., 181; 22 Wall., 180.)

2d. Want of sufficient proof of loyalty required by the act. This was one of the principal and most common defenses previous to the decisions of the Supreme Court in the cases. (Klein *vs.* United States, 13 Wall., 128; Pargoud *vs.* United States, 13 Wall., 156; Armstrong *vs.* United States, 13 Wall., 568).

Since it was decided in the above cases that proof of loyalty is not required in any suit where the claimant has been specially pardoned by the President, or is included in his proclamations of amnesty, which embrace all citizens and residents of the United States guilty of having given aid and comfort to the rebellion, and who were living at the time those proclamations took effect, the defense of disloyalty has been abandoned, except in a few cases of aliens who were personally compromised with the rebellion, and who, being aliens, could take no benefit from the general amnesty.

3d. That the claims or petitions were not preferred to the court within the two years allowed by the act, and that the court for this reason is without jurisdiction. That the court has no jurisdiction, and the claimant no remedy when the petition was not filed within the time limited by the act. (See Haycraft's case, cited above.)

It should be stated that by the act of June 15, 1868 (15 Stat. L., page 78), the right of appeal to the Supreme Court from judgments of the Court of Claims is given to the United States in all cases, including judgments in captured and abandoned property claims; and by the act of March 3, 1863 (12 Stat. L., page 755), an appeal is allowed to the claimant where the amount in controversy exceeds $3,000, or the claim has been declared forfeited for fraud, &c., as provided for by section 11 of that act.

The appeal must in all cases be taken within ninety days from the rendition of judgment. (See sec. 5, same act.)

A new trial may be granted to a claimant for any reason which by the rules of common law or chancery would furnish sufficient grounds for a new trial (act February 24, 1855, 10 Stat. L., page 614); and on motion of the United States a new trial may be granted within two years next after the final disposition of the claim, upon evidence satisfactory to the court that any fraud, wrong, or injustice has been done to the United States. (Act of June 25, 1868, 15 Stat. L., page 75.)

Judgments of the Court of Claims are due and payable to the Secretary of the Treasury after ninety days from the date of the rendition of the judgments. This is deduced from the provision giving that number of days for appeals from such judgments.

Judgments of the Supreme Court on appeal are due and payable immediately upon the presentation to the Secretary of transcripts of such judgments.

Interest of 5 per cent. is allowed upon judgments of the Court of Claims from the date of their presentation to the Secretary of the Treasury when an appeal is taken by the United States and the decision of the Supreme Court on appeal is in favor of the claimant. But this provision for the payment of interest does not apply in suits under the captured and abandoned property act, because judgments in such cases are limited to the net proceeds of the property claimed paid into the Treasury under the act of March 12, 1863. (See act of March 3, 1863, 12 Stat. L., page 766.)

All judgments upon claims presented in the Court of Claims, except for captured and abandoned property, are paid out of specific appropriations made annually.

Judgments for proceeds of captured and abandoned property are paid out of the "captured and abandoned property fund" which was covered into the Treasury under joint resolution of March 30, 1868, and which has been regarded by the courts as a trust fund from which such judgments should be paid. All of that fund, more or less, remaining in the Treasury has been considered as appropriated for the payment of

such judgments by the act of March 12, 1863, which instituted a permanent indefinite appropriation, not requiring any other appropriation, annual or otherwise. (R. S., 3689.)

Disposition by Court of Claims of captured and abandoned property cases.

Number of claims filed prior to August 20, 1868	795
Number of claims decided	699
Number of claims pending	105
Amount awarded on claims allowed	$9,664,391 93
Amount claimed in pending cases	10,625,777 54
Number of claims filed after limitation expired	637
Amount claimed in cases filed subsequent to August 20, 1868	$31,500,720 61

Memorandum relative to proceeds of captured and abandoned property, &c.

Amount covered into the Treasury as proceeds of captured and abandoned property, &c	$24,251,269 93	
Premium on coin proceeds covered in as miscellaneous receipts	2,566,768 29	
		26,818,038 22

Made up as follows:

Amount expended from proceeds of captured and abandoned property for purchase of products of insurrectionary States under section 8, act of July 2, 1864, and returned	$2,465,833 69	
Profits to government arising from purchase and resale of products under section 8, act of July 2, 1864	3,444,715 44	
Actual proceeds of captured and abandoned property, rents of abandoned houses, lands, &c	20,907,489 09	
		26,818,038 22
Proceeds of captured and abandoned property, &c., as above		20,907,489 09
Awarded to claimants by the Court of Claims under section 3, act of March 12, 1863	9,664,391 93	
Paid to claimants by the Secretary of the Treasury under section 5, act of May 18, 1872	194,801 77	
Paid for expenses, &c., under section 3, joint resolution of March 30, 1868	75,000 00	
Paid under act of July 27, 1868, and under sundry relief acts	292,105 51	
		10,226,299 21
Balance		10,681,189 88

THE COURT OF CLAIMS.

The Court of Claims, established by the act of February 24, 1855 (vol. 10, p. 612, Stats. at L.), and amended by act of March 3, 1863 (vol. 12, p. 765), is continued by section 1049 of the Revised Statutes. It consists of a chief justice and four judges, appointed by the President with the advice and consent of the Senate, and who hold their offices during good behavior. Its proceedings are upon petition, and are analogous to those usually obtaining in courts of equity; but it is not a court having general equity jurisdiction, nor does it possess the powers of such a court. All testimony is taken before commissioners, either upon written interrogatories or by oral examination, and all evidence is required to be in writing.

Any three of the judges constitute a quorum, provided that the concurrence of three judges shall be necessary to the decision of any case. The judges find the facts as well as the law, and the courts are not at-

tended by juries. The rules of the court indicate that the judges themselves sit in the hearing of both law and fact without the aid of the reports of referees, auditors, or commissioners to examine the evidence and state the facts. But, though the court cannot delegate its judicial powers, and must hear and determine all cases which come before it for adjudication, yet the Supreme Court has expressly held that it may employ the aid of a commissioner to state accounts, marshal assets, and adjust losses, provided that the judgment finally rendered is the result of the deliberation of the court. (United States *vs.* Raymond, 2 Otto, p. 651.)

The court issues no executions; but on the first day of every December session of Congress a statement of all the judgments rendered by the court during the previous year, with the amounts thereof and the parties in whose favor they were rendered, together with a brief synopsis of the nature of the claims upon which they were rendered, is transmitted to Congress by the clerk of the court.

The amounts of the judgments are paid at the Treasury Department out of an appropriation made by law therefor, except in cases transmitted to the court by the head of a department, in which cases the judgments are paid out of any specific appropriation applicable to them, if any such there be; otherwise, like other judgments of the court.

An appeal to the Supreme Court is allowed on behalf of the United States from all judgments of the Court of Claims adverse to the United States, and on behalf of the plaintiff in any case where the amount in controversy exceeds $3,000.

Inasmuch as it becomes necessary to define carefully the jurisdiction of the Court of Claims, and as its jurisdiction depends entirely upon acts of Congress granting such jurisdiction, the language of section 1059 of the Revised Statutes is quoted, as follows:

The Court of Claims shall have jurisdiction to hear and determine the following matters:

First. All claims founded upon any law of Congress, or upon any regulation of an executive department, or upon any contract, expressed or implied, with the Government of the United States, and all claims which may be referred to it by either house of Congress.

Second. All set-offs, counter-claims, claims for damages, whether liquidated or unliquidated, or other demands whatsoever on the part of the Government of the United States against any person making claim against the Government in said court.

Third. The claim of any paymaster, quartermaster, commissary of subsistence, or other disbursing officer of the United States, or of his administrators or executors, for relief from responsibility on account of capture or otherwise, while in the line of his duty, of government funds, vouchers, records, or papers in his charge, and for which such officer was and is held responsible.

Fourth. Of all claims for the proceeds of captured or abandoned property, as provided by the act of March 12, 1863, chapter 120, entitled "An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States;" or by the act of July 2, 1864, chapter 225, being an act in addition thereto: *Provided*, That the remedy given in cases of seizure under the said acts, by preferring claim in the Court of Claims, shall be exclusive, precluding the owner of any property taken by agents of the Treasury Department as abandoned or captured property in virtue or under color of said acts from suit at common law, or any other mode of redress whatever, before any court other than said Court of Claims.

Section 1059 Revised Statutes is amended as follows:

Provided also, That the jurisdiction of the Court of Claims shall not extend to any claim against the United States growing out of the destruction or appropriation of, or damage to, property by the Army or Navy engaged in the suppression of the rebellion. (Appendix to Revised Statutes, page 1435.)

Section 1060 Revised Statutes provides that all petitions and bills pending in Congress for the satisfaction of private claims founded upon any law of Congress, or upon any regulation of any executive depart-

ment, or upon any contract, expressed or implied, with the Government of the United States, shall, unless otherwise ordered by resolution of the house in which they are introduced, be transmitted by the Secretary of the Senate or Clerk of the House to the Court of Claims.

But this law has been so construed by Congress that the reference of any such petition, claim, or bill to a committee of either house is considered as an order of the house within the exception of the statute; and in practice no petition or claim is referred to the court unless by special bill or resolution.

Section 1063 Revised Statutes provides that, whenever any claim is made in any department involving disputed facts or controverted questions of law, where the amount in controversy exceeds $3,000, or where the decision will affect a class of cases or furnish a precedent for future action, without regard to the amount involved in the particular case, or when any authority, right, privilege, or exemption is claimed under the Constitution of the United States, the head of such department may cause such claim to be transmitted to the Court of Claims.

The same section further provides that the Secretary of the Treasury may, upon the certificate of any auditor or comptroller, direct any claim of the character, amount, or class described in this section to be transmitted to said court for adjudication, provided that no case be so transmitted unless it belongs to one of the several classes of cases which said court might, by reason of the subject-matter and character, take jurisdiction of under existing laws on the voluntary action of the claimant.

Section 1066 Revised Statutes provides that the jurisdiction of said court shall not extend to any claim not pending therein on December 1, 1862, growing out of any treaty with foreign nations or with the Indian tribes.

Section 1067 Revised Statutes provides that claims pending in other courts in certain cases shall not be prosecuted at the same time in the Court of Claims.

By section 1069 Revised Statutes every claim against the United States, cognizable by the Court of Claims, is forever barred, unless the petition setting forth a statement thereof is filed in the court or transmitted to it by either house of Congress within six years after the claim first accrues, with the usual proviso in favor of married women, minors, idiots, lunatics, insane persons, and persons beyond the seas. But the court has held that the limitation of six years does not apply in case of claims transmitted from the departments under section 1063 Revised Statutes. An appeal from this decision is pending in the Supreme Court.

It is not necessary here to refer particularly to the numerous other provisions of the Revised Statutes in regard to the Court of Claims, our object being only to discuss, as before suggested, the limits of its jurisdiction, with a view to suggest further legislation, and to define the powers of the Secretary of the Treasury.

Questions are constantly arising as to the limits of the jurisdiction of this court, depending often upon the construction of the language of section 1059 Revised Statutes, and often upon the operation of the act of July 4, 1864 (vol. 13, p. 381, Stats at L.), which expressly excludes certain claims from the jurisdiction of the Court of Claims, and sometimes upon the construction of the act of March 3, 1871 (vol. 16, p. 524), creating the board of commissioners of claims. We shall have occasion hereafter to consider carefully the construction of each of the acts referred to. Before doing this, however, it may be well to consider what limitations have been put upon the jurisdiction of the Court of Claims

by its own decisions or by those of the Supreme Court. It will be seen that most of the cases to which we shall now refer involve questions of interference with the duties of some of the officers of this department. It is clear that this court cannot in any way overrule the discretion which the law has expressly committed to such officers. The Secretary of the Treasury, the Comptrollers, the Commissioner of Customs, and the Commissioner of Internal Revenue have by law certain matters committed to them, in which their personal discretion is to be exercised. The exercise of such discretion is conclusive, and cannot be corrected or revised by the Court of Claims. This rule is clearly stated in Nichols *vs.* United States (7 Wallace, p. 122). That was an appeal from the Court of Claims, in which the petitioners sought to recover the amount of certain duties claimed to have been paid in excess of the law, where the party had not filed a protest in writing, which the statute required as a condition-precedent to the right of action. It was there said that the right of the claimant to recover depended entirely upon the statute granting him the right. The court say:

> The immunity of the United States from suit is one of the main elements to be considered in determining the merits of this controversy. Every government has an inherent right to protect itself against suits, and if, in the liberality of legislation, they are permitted, it is only on such terms and conditions as are prescribed by statute. The principle is fundamental, applies to every sovereign power, and but for the protection which it affords, the government would be unable to perform the various duties for which it is created. * * * The allowing a suit at all was an act of beneficence on the part of the government. As it had confided to the Secretary of the Treasury the power of deciding in the first instance on the amount of duties demandable on any specific importation, so it could have made him the final arbiter in all disputes concerning the same.

It was held that there was no right of action independent of the statute, and the condition-precedent of a protest not having been complied with, the suit was dismissed.

The court say further in regard to the revenue laws:

> These laws constitute a *system* which Congress has provided for the benefit of those persons who complain of illegal assessments of taxes and illegal exactions of duties.

And finally the court remark:

> The mischiefs that would result, if the aggrieved party could disregard the provisions in the system designed expressly for his security and benefit, and sue at any time in the Court of Claims, forbid the idea that Congress intended to allow any other modes to redress a supposed wrong in the operation of the revenue laws than such as are particularly given by those laws.
>
> Without pursuing the subject further, we are satisfied that cases arising under the revenue laws are not within the jurisdiction of the Court of Claims.

We find, notwithstanding the above principle announced by the Supreme Court, that the Court of Claims has assumed jurisdiction in several cases arising under the revenue laws.

In Kaufman's case (11 Court of Claims, p. 659), it was held that the claimant might recover back taxes, "unjustly assessed or excessive in amount," under section 3220 Revised Statutes, where the Commissioner of Internal Revenue had certified that he was entitled to have the same refunded, notwithstanding the Comptroller of the Treasury refused to pass the claim.

The court say they have given this case much consideration because it is important as representing a class of cases; and they state as follows the basis of their decision:

> And in this case, on the ground that there was a contract implied on the part of the defendants to pay any allowance which the Commissioner should legally and properly award under the statutes and regulations, we are unanimously of opinion that this court has jurisdiction, and that the claimant has a good cause of action.

It seems to me that this decision is inconsistent with the principles stated in Nichol's case already cited, because it is a case arising under the revenue laws, which the Supreme Court say are not within the jurisdiction of the Court of Claims, and because there is no contract implied on the part of the United States to pay any allowance by the Commissioner of Internal Revenue except in the manner prescribed by the statute.

Although section 3220, Revised Statutes, authorizes the Commissioner to remit, refund, and pay back all taxes erroneously or illegally assessed or collected, yet he could only make the refund in the manner authorized by existing laws. Formerly he might have drawn his order for the amount on the collector of internal revenue, but that law had been repealed, and by the then existing laws the refund could only be made out of the appropriation under section 3689 Revised Statutes, "to refund and pay back duties erroneously or illegally assessed or collected under the internal-revenue laws." And, by the established rule of the Treasury Department, this could only be done upon the certificate of the Comptroller and the warrant of the Secretary.

By section 269, Revised Statutes, it is the duty of the Comptroller to countersign all warrants drawn by the Secretary which shall be warranted by law; and it is the duty of the Secretary to withhold his signature from a warrant if there is no appropriation out of which it can be properly paid.

The mistake of the court is in holding the decision of the Commissioner of Internal Revenue to be the final adjudication of the claim, and in not holding it to be a mere step in the system of internal-revenue laws which provide a complete remedy in the case.

Mr. Justice Strong, in the case of the Dollar Savings-Bank *vs.* United States (17 Wall., p. 237), in discussing the effect of a decision of the Commissioner of Internal Revenue, says: "In the first place, the decisions of the Internal Revenue Commissioner can hardly be denominated judicial constructions."

The statute clearly recognizes the authority both of the Comptroller and of the Secretary in all cases of claims against the government.

Section 191, Revised Statutes, is as follows:

> The balances which may from time to time be stated by the Auditor and certified to the heads of departments by the Commissioner of Customs or the Comptrollers of the Treasury, upon the settlement of public accounts, shall not be subject to be changed or modified by the heads of departments, but shall be conclusive upon the executive branch of the government, and be subject to revision only by Congress or the proper courts. The head of the proper department, before signing a warrant for any balance certified to him by a Comptroller, may, however, submit to such Comptroller any facts in his judgment affecting the correctness of such balance, but the decision of the Comptroller thereon shall be final and conclusive, as hereinbefore provided.

The decision of the Commissioner of Internal Revenue is not made final or conclusive by any statute; but it was clearly within the province of the Comptroller in this case to decide whether the opinion of the Commissioner of Internal Revenue was or was not correct both in law and fact.

By the decision of the court, the jurisdiction of the Comptroller, given by section 191, Revised Statutes, was entirely superseded; and the power of the Secretary, under the same section, to submit to the Comptroller any facts in his judgment affecting the correctness of the balance, and the right of the Comptroller thereupon to revise his decision, were also excluded by the court.

It is understood that Kaufman's case is now pending in the Supreme Court, having been removed from the Court of Claims by appeal.

In Broulatour's case (7 C. Cls. R., p. 555) we find another decision, which seems entirely at variance with the principles announced by the Supreme Court in Nichol's case. In that case it was held that "the Court of Claims has jurisdiction of an action to recover back an overpayment of unascertained duties on imports, when it has been 'shown to the satisfaction of the Secretary of the Treasury,' as required by the act 30th June, 1864 (13 Stat. at L., p. 202), that there was an overpayment."

The case affords a remarkable illustration of metaphysical subtlety applied to legal principles. It arose under the act of June 30, 1864 (vol. 13, p. 202), which provides that whenever it shall be shown to the satisfaction of the Secretary of the Treasury that in any case of unascertained duties, &c., more money has been paid to the collector, &c., than the law requires, it shall be the duty of the Secretary to draw his warrant upon the Treasurer in favor of the person entitled, directing said Treasurer to refund the same out of any money in the Treasury not otherwise appropriated.

If, then, the Secretary were satisfied that the money ought to be refunded, he had only to draw his warrant therefor; but not being so satisfied, he signed an agreed statement of facts, certified to be correct and sufficient, which both parties agreed should be admitted in evidence.

The learned chief justice, who delivered the opinion of the court, says, at page 560:

> Whether this court has jurisdiction of this action depends upon whether the Secretary of the Treasury has signified himself satisfied that the overpayment was made as averred by the claimants. If he has not, then it is still a question of revenue, and, under the ruling of the Supreme Court in Nichol's case, is not within our jurisdiction. * * * Under ordinary circumstances it would be difficult to decide whether the Secretary of the Treasury had been satisfied of the fact of overpayment if his official declaration to that effect were not produced.

Then he proceeds to examine the statement of facts, and infers from that statement that the Secretary must be satisfied, and thereupon says, "for the purposes of this case we hold that he was so satisfied," and judgment was entered for the claimant.

One judge dissented from the opinion upon the authority of Nichol's case (7 Wallace, p. 122), citing it as follows:

> They thus stated their question: "Did Congress in creating the Court of Claims intend to confer on it the power to hear and determine cases arising under the revenue laws?" And their adjudication of it is stated thus: "We are satisfied that cases arising under the revenue laws are not within the jurisdiction of the Court of Claims."

And he added:

> I think that this is a case "arising under the revenue laws," and provided for by them; that we have no jurisdiction of it, and that the petition should be dismissed.

The effect of these two decisions, if the Court of Claims should continue to exercise such jurisdiction as is claimed in them, would be to introduce infinite confusion into the business of this Department.

For illustration, there are pending at the present time a very large number of cases for the refund of duties. One class of them arises under section 3012½, Revised Statutes, which is a re-enactment of the act upon which the decision in Broulatour's case rests, and which provides that when it is shown to the satisfaction of the Secretary of the Treasury that a refund should be made, he shall draw his warrant therefor.

In these cases the claims have been approved by the Secretary, thus complying with the provision of the statute requiring them to be proved to his satisfaction. But they are now suspended, because he finds no appropriation for their payment, but awaits an appropriation therefor

by Congress. In every one of these cases, according to the decision in Broulatour's case, an action can be sustained in the Court of Claims, thus breaking up the regular system of payment of refunds provided by law.

Another class arises under section 989, Revised States which provides that when a recovery is had in any suit against any officer of the revenue, for any act done by him or money exacted by him in the performance of his official duty, and the court certifies that there was probable cause for the act done by such officer, the amount so recovered shall be paid out of the proper appropriation from the Treasury.

Many cases of the character described in this section are now suspended by the Secretary because he finds no proper appropriation for their payment; and in these cases the Court of Claims, upon the principles announced in Kaufman's case, may entertain jurisdiction.

The cases, indeed, under this provision give much stronger claim than Kaufman's case for jurisdiction, because the decision of the Secretary of the Treasury, under section 3012½, Revised Statutes, is deemed to be final, and the judgment of the court under section 989, Revised Statutes, is also final; while in Kaufman's case there was only the decision of the Commissioner of Internal Revenue, which, as we have seen, is not regarded in law or in principle as conclusive.

Broulatour's case should have been carried by appeal to the Supreme Court, so that the jurisdiction of the Court of Claims upon the points considered in it might be revised.

It is due to the learned judges of this court to say that the principle which should govern all these cases is correctly stated by Mr. Justice Richardson in Boughton's case, not yet reported, as follows:

> In all cases, whether under the revenue laws or any other laws, in which Congress has provided a specific system, adequate, in the opinion of the law-making power, to the investigation and recovery of legal claims of any particular class due from the government, intrusting the determination of the rights of the parties to the judgment and discretion of specified executive or other officers, and a final enforcement to other tribunals than this court, under special limitations and restrictions, such jurisdiction is exclusive and furnishes the only remedy to claimants of that class.

It is difficult to see how jurisdiction could be taken in Kaufman's or Broulatour's case consistently with the principle thus announced.

The provisions of sections 1072 and 1073, Revised Statutes, that this court shall render no judgments, except in favor of citizens who shall prove their loyality, have been modified by several decisions of the Supreme Court.

In general, it is held that persons who have complied with the conditions of the acts of Congress and the proclamations of the President offering pardon and amnesty to those engaged in rebellion are restored to their right to prosecute in the Court of Claims without proof of loyalty, and that those rights cannot be divested by an express act of Congress repealing the authority to grant such pardon, or by a proviso in an appropriation act that no such pardon shall be admissible in the Court of Claims to establish the right of a claimant to prosecute his suit therein. The Supreme Court holds such acts unconstitutional, as invading both the judicial and executive departments of the government. (United States *vs.* Klein, 13 Wallace, 128; Pargoud *vs.* United States, 13 Wallace, 156.)

The jurisdiction of the Court of Claims is limited by the first section of the act of July 4, 1864 (vol. 13, p. 381), which provides that its jurisdiction "shall not extend to or include any claim against the United States growing out of the destruction or appropriation of or damage

to property by the Army or Navy, or any part of the Army or Navy, engaged in the suppression of the rebellion."

Sections 2 and 3 of the same act provide for the adjustment by the executive departments of claims by loyal citizens of States not in rebellion for quartermasters' stores furnished to the Army of the United States, receipted for by the proper officers, or which may have been taken by such officers without giving such receipt, and also for subsistence furnished to the Army and receipted for or taken by such officers. These provisions were re-enacted in the Revised Statutes. (See Appendix, pp. 1434 and 1435.)

The classes of claims described in each of the three sections of this statute of 1864 are understood to be excluded from the jurisdiction of the Court of Claims; those embraced in the first section by its provision, and those embraced in the second and third sections by the grant of exclusive jurisdiction to the officers of the executive departments therein named.

The second and third sections embraced claims which could not have been paid under any pre-existing authority. Mr. Attorney-General Evarts, referring to these provisions, says (12 Opinions, p. 442):

> It was manifestly the design of this statute to provide for the settlement of a class of claims which the military emergencies and exigencies during the late rebellion gave rise to, and which, before its passage, there was understood to be no authority in any of the officers of the executive branch of the government to adjust. This embraced demands growing out of the seizure of property for the use of the Army, or originating in irregularities in the service, which, from the manner of their creation, it was supposed could not be taken cognizance of by those officers under the laws and regulations then existing.

But this act has been construed not to comprehend accounts founded upon express contracts for the purchase of supplies for the Army, made by the proper government agents within the scope of the Army appropriation bill, although made within the territory of a State in rebellion.

> No legislation was necessary at the time to provide for the settlement of claims of this character, nor could any doubt have been entertained by Congress of the authority of the proper officers of the government to adjust and pay them. A claim arising upon such a contract cannot properly be said to originate in a State in insurrection, although the contract may have been performed in one of the rebel States. (12 Opinions, p. 442.)

Many cases have been decided under the act in question, both in the Court of Claims and in the Supreme Court; and the test of jurisdiction has been the question whether the property was or was not taken for the use of the United States under a contract. And it has been held that the Court of Claims has jurisdiction of cases respecting property taken under a contract by authorized officers, and has not jurisdiction in cases of such property otherwise appropriated.

Another point as to the jurisdiction of the Court of Claims may be referred to in this connection.

The act of July 4, 1864, already cited, declares—

> That the jurisdiction of the Court of Claims shall not extend to claims growing out of the "appropriation of" "or damage to any property by the Army"; and provides for the adjustment by the executive departments of claims "by loyal citizens in States not in rebellion."

The act 21st February, 1867, declares—

> That the previous act shall not authorize the settlement of claims which "originated in a State declared in insurrection."

The joint resolution, 23d December, 1869, declares—

That the act of 1867 shall not "debar the settlement of claims for steamboats or other vessels impressed into the military service in States declared in insurrection."

The three acts are *in pari materia*. The purpose of the last was not to restore the jurisdiction of the Court of Claims, but to authorize a settlement of such claims by executive action. (Kimball's case, 13 Wallace, p. 636.)

In defining the jurisdiction of the Court of Claims, it should be added that this court claims and exercises the power to render judgment in certain cases within their jurisdiction for unliquidated damages, a power which, it is understood, the accounting officers of the Treasury Department have never exercised.

The jurisdiction of the Court of Claims as to captured and abandoned property, under the acts of March 12, 1863, and July 2, 1864, has already been considered.

COMMISSIONERS OF CLAIMS (KNOWN AS SOUTHERN CLAIMS COMMISSION.)

This tribunal, consisting of three commissioners, appointed by the President by and with the advice and consent of the Senate, was created and established by sections 2 to 6 of the Army appropriation act of March 3, 1871 (Stat. at L., vol. 16, p. 524). Its jurisdiction over persons extends to all citizens of the United States who, during the war of the rebellion, were loyal adherents to the cause and the Government of the United States.

The subject-matters of its jurisdiction, as defined in the organic act, are claims for stores or supplies taken or furnished for the use of the Army of the United States in States proclaimed as in insurrection, and claims for the use and loss of vessels or boats while employed in the military service of the United States in States proclaimed as in insurrection.

By a subsequent act of May 11, 1872 (vol. 17, p. 97), the jurisdiction was extended to claims for stores or supplies taken or furnished for the use of the Navy of the United Sates in States proclaimed as in insurrection.

The organic act provided that all claims within the act and not presented to this tribunal shall be barred; and this provision was construed by the then Attorney-General to divest the Quartermaster-General, the Commissary-General, and the accounting-officers of the Treasury of the jurisdiction conferred upon them over claims for quartermaster stores and for subsistence from the State of Tennessee, and the counties of Berkeley and Jefferson, West Virginia, by the joint resolutions of June 18, 1866, and July 28, 1866, respectively (vol. 14, pp. 360 and 370.)

But by an act approved April 20, 1871 (vol. 17, p. 12), it was provided that the jurisdiction of those officers over such claims from Tennessee and West Virginia, and over claims for steamboats and other vessels, should not be withdrawn or impared by any construction of the act creating Commissioners of Claims; and so the law has remained to the present day. It follows, then, that the jurisdiction over claims of loyal citizens for the use or loss of vessels in insurrectionary waters, or for quatermaster or commissary stores taken or furnished in the State of Tennessee or the counties of Berkeley or Jefferson aforesaid, is concurrent.

The duration or term of the commission, under the act of March 3, 1871, was fixed at two years; and all claims within its jurisdiction were

required to be presented within that time. But the term was extended four years by the act of March 3, 1873 (vol. 17, p. 577), and again for two years by the act of March 3, 1877 (vol. 19, p. 404).

The first of these acts prohibited the receipt of any new claims, and the last prohibited the admission of evidence in support of any claim after March 10, 1878, except in rebuttal of evidence introduced in behalf of the government.

In their annual reports to Congress, the commissioners have from time to time published the constructions placed by them on the statutory clauses defining their jurisdiction as to persons and things.

Among the more important rulings are the following:

1. That the term "citizen" does not include aliens domiciled in the United States, or who had only declared their intentions to become citizens, or who were not naturalized till after their claims accrued.

2. That the loyalty of every person beneficially interested in a claim must be proved affirmatively, except such person, during the war, was an idiot or lunatic, or under sixteen years of age when hostilities ceased.

3. That where the original claimant is dead, his loyalty, as also that of all persons through whom the claim has been transmitted to the present owners, must be established.

4. That the duress to excuse acts otherwise disloyal must have been actual force used against the claimant, or imminent danger of force or injury, or the existence of such a state of terror or intimidation as produced a constant and oppressive apprehension of lawless violence.

5. That the phrase "stores or supplies" embraces not only quartermaster and commissary supplies, but also engineer, ordnance, and medical supplies. On the other hand, claims for rent, or for the mere damage, destruction, and depredation consequent upon the presence or the operations of armies, are not included. Charges for articles of food not upon the ration-list, except when taken by competent authority or through actual public necessity, or for cotton, except when taken for hospital-beds, or for tobacco, except when taken in a single instance by competent authority and regularly issued to the troops as part of their ration, are not allowed. When buildings were torn down and the materials applied to public military use, the value of such materials, as distinguished from the value of the buildings, is allowed; and the same rule is applied to fencing burnt for fuel.

6. The bankruptcy of a claimant is held, under the provisions of the bankrupt act, to have divested him of the right, title, and interest in and to his claim, and to vest them in the assignee.

7. That the jurisdiction of the commissioners is exhausted by the act of reporting a claim to Congress, and that they cannot reconsider such claim without further authority.

The *rules of practice* established by the commissioners require that every claim shall be stated in a petition personally subscribed and verified by the claimant, and containing a summary statement of the case and an averment of constant loyalty during the war. The *rules of evidence* are noteworthy as affording what is perhaps the sole instance, outside of the courts, of an effort to impress upon the evidence adduced in support of a claim against the government the qualities and safeguards pertaining to depositions taken for use in actions or suits at law.

With regard to claims exceeding $10,000 in amount, the act of May 11, 1872 (vol. 17, p. 97), requires that the proofs shall consist of oral testimony given before the commissioners, with the exception of certain kinds of documentary evidence existing prior to the establishment of the commission and not abundant.

With regard to claims not exceeding $10,000 in amount, the evidence may consist of depositions taken by special commissioners appointed by the commissioners themselves, under authority of the act of May 11, 1872 (vol. 17, p. 97), and governed by rules of such scope and strictness as to make the perpetration of any serious deception or fraud in the preparation of evidence well-nigh impossible. The requirements that special commissioners shall themselves write out all depositions, and in the very words of the witnesses, and shall themselves forward all depositions direct to Washington, are among the more important of these rules.

There being no provision by law for the attendance of counsel in behalf of the government at the taking of testimony in support of a claim, the commissioners have framed a series of eighty interrogatories, adapted to the several classes of witnesses and to the varying circumstances of each case. These interrogatories are administered by the special commissioners to all witnesses brought before them, and constitute an efficient and almost exhaustive cross-examination.

From the internal evidence afforded by this system of special commissioners and standing interrogatories, it would seem certain that a very efficient defense is provided to the government against false or otherwise invalid claims, fortified as it is by the practice of resolving all doubts in favor of the government; but the opportunities that have frequently arisen of comparing the quality of such evidence with that usually accepted by non-judicial tribunals, such as certificates, statements, and *ex-parte* affidavits, generally prepared by the claimant's attorney and expressing his wishes as much as the affiant's knowledge, have afforded abundant external evidence of the practical excellence of the plan.

The act of May 11, 1872 (vol. 17, p. 97), also authorized the employment of three agents by the commissioners to investigate claims, procure evidence, secure and examine witnesses for the government, cross-examine witnesses for claimants, and perform other and kindred duties.

These agents have been of great benefit to the government; but the number is inadequate for the service demanded and the amount of territory to be covered by their investigations. Their work has always been four years behindhand, which is a hardship to claimants under any circumstances, but is lessened somewhat by the practice of the commissioners of referring to the agents only the larger cases, or, if smaller cases are referred, only those where the proofs are defective or inconclusive, and deciding promptly all other cases.

In addition to the safeguards already described against claimants falsely pretending to have been loyal, and claims falsely purporting to be valid and just, the commissioners have always been at pains to keep the names of claimants and the amounts of their claims, and the amounts proposed to be awarded them, constantly before the public of their localities as a check upon unscrupulous claimants and attorneys; but no very important results have attended the practice, so far as discernible.

The act establishing the commission prescribed a degree and duration of loyalty higher and longer than had been previously prescribed for claimants in loyal States, in Tennessee, and in the two insurrectionary counties of West Virginia. The statute, assuming the loyalty of claimants up to and at the beginning of the rebellion, enacted that they should have "remained loyal adherents to the cause and the Government of the United States during the war," and requires the commissioners to be satisfied of the "loyalty and adherence of the claimant to the cause and the Government of the United States before and at the time of the taking or furnishing of the property for which any claim shall be made."

In construing these provisions, the commissioners have held the following to be acts of disloyalty requiring to be rebutted by proof of physical or adequate moral compulsion; namely, voting for secession or secession candidates; residing or removing within the Confederate lines as a matter of choice; holding office under the Confederacy; service in the Confederate army or navy, personally or by substitute; furnishing supplies to the Confederacy; arming or equipping persons entering the Confederate service; engaging in business intended or calculated to aid the Confederate cause; subscribing to Confederate loans, or selling cotton or other produce to the Confederate government in aid of its finances, or, generally, doing anything of a nature to aid the Confederate and injure the Union cause.

These definitions of disloyalty seem to be in harmony with the utterances of Congress on the same subject. In an act relating to the Court of Claims, passed June 25, 1868 (vol. 15, p. 75), it is provided that—

> Whenever it is material in any claim to ascertain whether any person did or did not give any aid or comfort to the late rebellion, the claimant asserting the loyalty of any such person to the United States during such rebellion shall be required to prove affirmatively that such person did, during said rebellion, consistently adhere to the United States, and did give no aid or comfort to persons engaged in said rebellion; and the voluntary residence of any such person in any place where, at any time during such residence, the rebel force or organization held sway, shall be *prima-facie* evidence that such person did give aid and comfort to said rebellion and to the persons engaged therein.

Again, the act of March 2, 1867 (vol. 14, p. 571), provides that certain classes of claims shall not be allowed in favor of any person who, during the rebellion, was not known to be opposed thereto and distinctly in favor of its suppression.

It is unavoidable that a tribunal whose functions chiefly consist in adjusting claims for private property appropriated to the public use with very little ceremony or formality should have its docket laden with great numbers of cases which do not in any sense answer to the requirement of an appropriatiou to public use. It is also unavoidable that many other cases should be docketed in which it is extremely difficult to decide, even approximately, where appropriation ends and where spoliation begins. The manner in which the commissioners have met this difficulty is thus stated in their fifth general report (House Mis. Doc. No. 30, Forty-fourth Congress, first session):

> It is difficult at this time to determine what items of the claims now presented shall be allowed, and what disallowed as mere damage, depredation, destruction, and the waste incident to war. The property taken was almost always useful to the Army, and may have gone to actual Army use; but many of the articles may have been taken, and doubtless were taken, by the soldiers without authority or necessity, and were not turned over to the proper receiving-officers. In some of the larger military movements * * * special orders were issued directing the movements of foraging parties, and especially requiring the supplies obtained to be turned in for the use of the Army, and accounted for; and it is believed that these orders were strictly obeyed, and the property so taken returned for actual Army use. In these cases the rule adopted by the commissioners is to construe the words "stores or supplies taken or furnished for the use of the Army" liberally, and to regard the property as taken and used by the Army, unless positive proof or suspicious circumstances exist to the contrary. Hence, in cases where troops started on a long march, with deliberate purpose to subsist on the country, a more liberal rule of allowance has been adopted than in cases where the troops charged with having appropriated property were duly and regularly equipped and supplied at the beginning and during the continuance of the march.

Cases decided and undecided.—Within the two years granted for filing claims 22,298 claims were presented, calling for $60,258,150. Of these, 11,088, calling for $23,783,944, have been decided and reported to Congress, 5,399 being allowed in whole or in part, and $3,572,434 allowed in

settlement of them. There remain 11,199 claims, calling for $36,474,219 to be yet decided and reported.

On January 1, 1877, about 2,000 cases, submitted by claimants from two to four years previously as ready for decision, were under suspension, to be investigated by agents to be sent to the localities wherein the claimants resided and the claims originated. The three agents allowed by law cannot report upon more than 500 cases in a year. To investigate cases now suspended by the time the commission expires, March 10, 1879, would require about twelve agents; but half that number could investigate cases as fast as the commission could dispose of them, because the commission examine and report a great many cases that do not go to an agent at all.

The suspension in 2,000 cases is due either to the neglect or disregard of the rules for taking testimony, or to a doubt as to the loyalty of the claimant or the justice and validity of the claim.

The commission say that a very small proportion of the claims are entirely groundless, but that many of them are grossly exaggerated and require careful investigation to ascertain the true amount.

CLAIMS UNDER SPECIAL STATUTES.

In general, all quartermasters' stores and all supplies for the subsistence of the Army and Navy are furnished under certain laws and regulations, which prescribe the powers of the various officers authorized to procure them. In time of peace such subsistence and supplies are procured under contracts by the officers specially authorized to procure them, and under such conditions as the laws and regulations specially impose.

In 14 Opinions of Attorneys-General (p. 314), may be found a review of the statutes relative to making contracts in behalf of the United States for quartermasters' stores down to and including the act of July 4, 1864 (vol. 13, p. 381), showing what officers at that time had authority to make such contracts.

Claims for supplies thus furnished are allowed in the regular course of the business of the different departments by the various officers authorized to pass upon them, and finally, under well-established provisions and rules, by the accounting-officers of the Treasury.

Contracts for these ordinary supplies furnish no part of the subject of our present investigation, except so far as necessary to determine that they are not within the provision of the several acts authorizing the payment of extraordinary claims.

There are several classes of claims provided for by various acts of Congress for the valne of property lost or destroyed while in the service of the United States and for supplies received or taken and used by the Army while in actual service. These depend upon the particular provisions of the several acts under which they may be allowed, and it is to these several acts that our attention is now directed.

A hasty sketch of the course of legislation with regard to such claims will show that it has not been either uniform or consistent. By the act of April 9, 1816 (vol. 3, p. 216), provision was made for payment to owners of property lost or destroyed in the war between the United States and Great Britain. Pursuant to this act a commissioner was appointed by the President, with the consent of the Senate, to decide all cases arising under the act, and upon his adjudication the amount found due to the claimant was paid out of the Treasury.

By an amendment to this act, made the next year, the commmissioner

was required to report to Congress, and all cases in which the amount allowed exceeded $200 were required to be revised by the Secretary of War and confirmed by him before payment.

By the act of April 20, 1818 (vol. 3, p. 466), all claims under said acts were transferred to the Third Auditor, who was to be governed by the rules prescribed for the commissioner.

Again, in 1822, the accounting-officers of the Treasury were, without limitation, to settle claims of officers, volunteers, and other persons in the campaign against the Seminole Indians under rules to be prescribed by the President.

In 1833 Congress passed a similar act for the settlement of claims for property lost in expeditions against the Indians on the frontier of Illinois and Michigan, and the Third Auditor of the Treasury was required to examine, allow, and pay them as under the acts of 1816 and 1817.

Again, by act of June 30, 1834 (vol. 4, p. 726), if a claim of this character exceeded $200, the Third Auditor was required to report the whole proof to Congress for its action.

By the acts of January 18, 1837 (vol. 5, p. 142), March 2, 1847 (vol. 9, p. 154), and March 3, 1849 (vol. 9, p. 414), all of which were enactments in relation to property lost or destroyed in the military service of the United States, the Third Auditor had the power to decide and pay, without revision, under rules prescribed by the Secretary of War with the assent of the President, all claims, whatever the amount.

By an amendment of the act of 1849, made July 28, 1866, the Third Auditor was required to transmit his adjustment to the Second Comptroller for his decision.

The classes of special claims which now chiefly engage the attention of the officers of the Treasury are those which come within the provisions of the act of March 3, 1849, re-enacted in sections 3482 to 3489, inclusive, Revised Statutes, and those which come within the provisions of the act of July 4 (1864 vol. 13, p. 381), and its amendments.

In order to determine what claims remain within the jurisdiction of the accounting-officers of the Treasury, it has seemed necessary in the course of our investigation to ascertain what claims fall within the jurisdiction of the Commissioners of Claims and of the Court of Claims, inasmuch, as in general, claims within the jurisdiction of these tribunals are excluded from the jurisdiction of the executive departments, although in some cases it will be found that in practice, at least, the jurisdiction may be concurrent as between the Treasury Department and the Commissioners of Claims or the Court of Claims.

Section 1069, Revised Statutes, provides that "every claim against the United States cognizable by the Court of Claims shall be forever barred unless the petition," &c., "be filed within six years." Upon a strict construction of this provision, a claim cognizable by the Court of Claims would be forever barred, not only in that court, but in the executive departments, unless duly presented within the provisions of that statute. I am informed, however, that this is not the construction heretofore put upon the section in this department, and that it has been held that the limitation therein prescribed has reference only to bringing a claim before that court, and is no bar to any adjudication elsewhere.

The Court of Claims formerly maintained a rule which required the petition to show that a claim, "ordinarily settled in any executive department," has been submitted to that department for its allowance without success. The Supreme Court, in Clyde *vs.* United States (13 Wallace, pp. 35, 38), held that this was not a rule of practice, but a restriction upon the jurisdiction of the court which is established by

statute, which only requires that a party shall have a claim, not that a claim shall first go through an executive department. This would seem to imply that a claim of the description there under consideration, which was upon a contract for the charter of a steamboat, might be cognizable both in the executive departments and in the Court of Claims.

CLAIMS UNDER THE ACT OF MARCH 3, 1849.

Under this act and its amendments a very large number of claims is embraced and a large number is likely to arise in future. The act of 1849 is re-enacted in the Revised Statutes, sections 3482 to 3489 inclusive. It provided, first, for compensation for property lost while in the military service, namely, horses and equipments, the private property of enlisted officers or men, not exceeding two hundred dollars for any horse and equipments, if lost in either of the ways specially named in the act, in general including horses killed or dying of wounds received in battle or necessarily abandoned in the field or on board a transport-vessel, or for the want of forage or like. Under this section of the act, as the Third Auditor reports, "many hundreds, or even thousands, of claims were summarily disallowed, because the losses were not alleged to have been occasioned by any of those specific causes."

By the act of June 22, 1874 (vol. 18, p. 193), the first section of the act of 1849 was amended so that it shall not be construed to deny payment to officers or enlisted men for horses purchased by them in States in insurrection; "and payment in any case shall not be refused where the loss resulted from any exigency or necessity of the military service, unless it was caused by the fault or negligence of such officers or enlisted men."

The second section provided "that no claims under said section or this amendment thereto shall be considered, unless presented prior to the 1st day of January, 1876."

The first section of the act of 1874 greatly enlarges the description of the cases under which claims may be allowed, and the second section impliedly allows any claim which was barred by any former limitation (see section 3489, Revised Statutes) to be presented prior to the first day of January, 1876."

It is probable that some thousands of claims will be aided by the act of 1874. A great proportion of them were claims rejected because not appearing to come within the purview of the original act of 1849.

It would seem to have hardly been the intention of Congress to waive the limitation upon claims, already barred by statute, some of which may have arisen a quarter of a century before the passage of the amending act; but such is understood to be the construction of the accounting-officers of the Treasury.

The second class of claims provided for by section 3483, Revised Statutes, comprises horses, mules, oxen, wagons, carts, boats, sleighs, harnesses, steamboats or other vessels, railroad engines and cars, lost in the military service, either by impressment or contract.

CLAIMS FOR STEAMBOATS AND OTHER VESSELS AND FOR RAILROAD ENGINES AND CARS.

The act of March 3, 1849 (vol. 9, p. 415), provides that any person who has sustained damage by the capture or destruction by an enemy, &c., of any horse, ox, wagon, cart, boat, &c., shall be allowed and paid the value thereof under certain conditions.

The act of March 3, 1863 (vol. 12, p. 743), provides that the act just cited "shall be construed to include steamboats and other vessels and railroad engines and cars in the property to be allowed and paid for when destroyed or lost under circumstances provided for in said act."

Claims for vessels and for railroad engines and cars are now allowed by the accounting-officers, under proper conditions, under the act of 1849 as amended by the act of 1863 and incorporated into section 3483, Revised Statutes.

The act of February 19 (or 21), 1867 (vol. 14, p. 397), provides that the act of 1864 shall not be construed to authorize the settlement of any claim for stores or supplies, nor for the consumption, appropriation, or destruction of personal property by the military authorities of the United States, where such claims originated during the war of the rebellion in a State declared in insurrection.

It was held by Attorney-General Stanbery, February 4, 1868, that the act of February 19, 1867, took away from the accounting-officers all authority to settle claims for the destruction or appropriation of a steamboat or other property, if they originated during the rebellion in an insurrectionary State.

Whereupon it was declared by joint resolution of December 23, 1869 (vol. 16, p. 368), that the act of February 19, 1867, should not be construed to debar the settlement for steamboats or other vessels taken without the consent of the owner or impressed into the military service of the United States, during the late war, in States or parts of States declared in insurrection, provided the claimants were loyal and were residents of loyal States, and that such steamboats or other vessels were in the insurrectionary districts by proper authority, namely by charter, contract, impressment, or in conformity to the regulations of the Secretary of the Treasury, or, as amended by resolution of March 3, 1871 (vol. 16, p. 600), in conformity to the laws of the United States.

As to the use and loss of steamboats and other vessels while employed in the military service of the United States, the accounting-officers of the Treasury and the Commissioners of Claims seem to have concurrent jurisdiction over claims of loyal citizens, residents of loyal States, for such property taken, &c., in the insurrectionary districts.

Section 3488, Revised Statutes, authorizes the Third Auditor of the Treasury, in person, or in such manner as he may deem most compatible with the public interest, to take testimony and make such investigation as he may deem necessary in adjudicating claims for payment for steamboats and other vessels, as also for railroad engines and cars, lost or destroyed while in the military service of the United States.

CLAIMS UNDER ACT OF JULY 4, 1864.

This act is entitled—

An act to restrict the jurisdiction of the Court of Claims, and to provide for the payment of certain demands for quartermasters' stores and subsistence supplies furnished to the Army of the United States.

The first section provides—

That the jurisdiction of the Court of Claims shall not extend to or include any claim against the United States growing out of the destruction or appropriation of, or damage to, property by the Army or Navy, or any part of the Army or Navy, engaged in the suppression of the rebellion, from the commencement to the close thereof.

The second section provides—

That all claims of *loyal citizens* in States not in rebellion, for quartermasters' stores actually furnished to the Army of the United States, and receipted for by the proper

officer receiving the same, or which may have been taken by such officers without giving such receipt—

may be presented to the Quartermaster-General, who shall cause the claim to be examined, and, if convinced it is just, report it to the Third Auditor for settlement.

The third section makes a like provision that all claims of loyal citizens in States not in rebellion, for subsistence actually furnished to the Army, may be submitted to the Commissary-General of Subsistence, who shall, if convinced that the claim is just, report it to the Third Auditor for settlement.

The first section is re-enacted in the Appendix to the Revised Statutes, at page 1435; and the second and third sections are re-enacted in the Appendix at page 1434.

For several years after the passage of this act it was held in the Quartermaster-General's and Commissary-General's Departments that no claim could be allowed under it, unless the stores were actually "receipted for" or "taken by the *proper officer*," as the act requires.

Of late, however, it is understood that such a claim may be allowed, if the Quartermaster-General or Commissary-General "is convinced that it is just, and of the loyalty of the claimant, and that the stores have been actually received or taken for the use of, and used by, said Army," although not "receipted for by the *proper officer* receiving the same," as the first clause provides. This, although not a strict construction, is perhaps the just and fair construction.

The provisions of this act have already been discussed in considering the jurisdiction of the Court of Claims.

Independently of this act, as has already been stated, the accounting-officers of the Treasury had jurisdiction to allow all claims for quartermasters' stores and subsistence upon regular vouchers; and the intention of this act was to enlarge their jurisdiction and include cases where such stores and subsistence had been furnished to or taken by the Army without the strict legal forms prescribed by the rules of the several departments.

The provision is that the claim may be presented to the Quartermaster-General or Commissary-General, "accompanied with such proof as each claimant can present of the evidence in his case," instead of the regular vouchers prescribed by the regulations.

By the joint resolution of June 18, 1866 (vol. 14, p. 360), the provisions of the act of July 4, 1864, were extended to the counties of Berkeley and Jefferson, in West Virginia; and by joint resolution of July 28, 1866 (vol. 14, p. 370), the provisions of said act were extended to the loyal citizens of the State of Tennessee.

By the act of February 21 (or February 19), 1867 (vol. 14, p. 397), it is provided that the provisions of said act of 1864—

shall not be construed to authorize the settlement of any claim for supplies or stores taken or furnished for the use of, or used by, the Army of the United States, *nor for the occupation of or injury to real estate, nor for the consumption, appropriation, or destruction of or damage to personal property* by the military authorities or troops of the United States *where such claim originated* during the war for the suppression of the Southern rebellion *in a State* or part of a State *declared in insurrection* by the proclamation of the President of the United States, dated July 1, 1862, or in a State which by an ordinance of secession attempted to withdraw from the United States Government: *Provided*, That nothing herein contained shall repeal or modify the effect of any act or joint resolution—

as to Tennessee or West Virginia.

The words which are put in italics in the above quotation seem to be the essential part of the act of February, 1867, which is entitled in part "An act to declare the sense of" the act of July 4, 1864.

This italicized provision, so far as it relates to real estate, is found re-enacted in the Appendix to the Revised Statutes, page 1434.

It should be borne in mind that the claims which may be allowed under the act of July 4, 1864, are limited to the claims of *loyal citizens in States not in rebellion*, nor proclaimed in insurrection, *and to quartermasters' stores and subsistence.*

The number of claims allowed under this act is very great, covering about twelve pages in the Digest of Appropriations for 1877, amounting to $270,357.22.

Prior to 1874 the claims under this act had not been kept separate, but had been included in the appropriations for quartermasters' stores and commissary supplies.

By section 2 of the act of June 16, 1874 (vol. 18, p. 75), the Secretary of the Treasury shall make report of each claim allowed under the act of July 4, 1864, by the Quartermaster-General, Commissary-General, and Third Auditor, at the commencement of each session of Congress, to the Speaker of the House of Representatives, who shall lay the same before Congress for consideration; so that the claims are now presented to Congress for distinct action before payment or appropriation.

CLAIMS FOR PROPERTY, REAL OR PERSONAL, TAKEN, USED, DESTROYED, OR DAMAGED IN WAR.

Many claims have been urged by citizens for damage, in the late war, to real estate, as buildings, fences, bridges, growing crops, railways, highways, and the like, and to personal property, as horses, carriages, grain, steamboats, railway engines and cars, cotton, and other property.

Some of these claims arise from injuries inflicted by the enemy, some for injuries by the government forces in battle or by our own troops wantonly or recklessly, some by destruction of supplies and the devastation of whole districts to prevent subsistence of the enemy's forces, some by the destruction of property by the march of armies, or by the authorized removal of obstructions in the way of military operations. Part of this property belonged to loyal citizens, but the greater part to disloyal persons residing within the field of the army operations.

As questions are constantly presented to the department and to other tribunals having jurisdiction of claims against the government, it may be well briefly to state the principles which govern cases of this description.

The principal difficulty in treating this subject arises from a want of a clear distinction between the rights of peace and the rights of war.

The fifth article of amendments to the Constitution provides that "no person shall * * be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation."

The phrase "due process of law" in this section has been defined to mean that the right of the citizen to his property, as well as life or liberty, could only be taken away upon an open, public, and fair trial before a judicial tribunal according to the forms prescribed by the laws of the land.

If there were no other provision in the Constitution or laws governing this matter, it is evident there could be no such thing as civil war, since the whole organization of military forces is for the purpose of depriving rebellious citizens of life, liberty, and property without any of the forms prescribed by the laws of the land in time of peace.

The Constitution, however, in view of the fact that war would or

might exist, gives to Congress the power "to define and punish * * offenses against the law of nations," "to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water," "to raise and support armies," to provide for the common defense" and general welfare of the United States; and this includes the laws of war.

It is evident that both systems of law cannot have full and exclusive force and operation at the same time and place and over the same rights of person and property. Where war is actually flagrant, or a state of war and the exercise of military authority exist, the laws of war prevail; and so far as necessary for all purposes of war they are exclusive. *Silent leges inter arma.* So far as practicable, however, the laws of peace and the ordinary tribunals of justice are allowed, even in States and towns which are the theater of war, to be operative; and, in fact, in most of the insurrectionary States the courts were constantly kept open for ordinary purposes.

It is now determined by the highest court that the civil war began, for some purposes and at some localities, as early as April, 1861. (The Prize cases, 2 Black, p. 636.)

By the President's proclamations of April 15 and 19, 1861, an insurrection was declared to exist in certain States. By the act of Congress of July 13, 1861, proclamation of insurrection was extended so as to declare eleven States, with some territorial exceptions, in rebellion.

War was continued in those States until the President's proclamation of August 20, 1866, declared the insurrection at an end. *A state of war* existed at times in territory outside of that declared in insurrection.

It may be stated in general that the usages and laws of nations applicable in case of war between independent nations apply to civil wars, including the recent war of the rebellion, and especially when, as in the States proclaimed in insurrection, the lawful State governments were entirely subverted and the courts and civil authority of the national government disregarded and powerless.

The Supreme Court decided in December, 1862, while the war was in progress, that—

> The present civil war between the United States and the so-called Confederate States has such character and magnitude as to give the United States the same rights and powers which they might exercise in the case of a national or foreign war.

And the same court declared that—

> All persons * * residing within this territory, whose property may be used to increase the revenues of the hostile power, are in this contest liable to be treated as enemies.

It has been claimed that the power of a nation over its own rebel citizens is greater in a civil war than over alien enemies, because over the former it may exercise both belligerent and sovereign rights; but this principle does not affect the class of cases under consideration.

In the Prize cases, Nelson, J., says:

> This act of Congress of July 13, 1861, we think, recognized a state of civil war between the government and the Confederate States, and made it territorial.

Strictly, therefore, all persons, whether loyal or disloyal, residing in the States proclaimed in insurrection, may be regarded as enemies.

After the termination, however, of a civil war, a government is under every obligation of humanity and justice to discriminate between actual enemies and those who are only such by construction of law and by necessity.

Applying these principles to the States proclaimed in rebellion during the period of war, it may be stated in general terms that the United States, by the strict rules of international law, incurred no liability whatever for property used, damaged, or destroyed therein by government authority in the necessary operations of the war, nor by the operations of the enemy.

Halleck says:

> War * * * makes legal enemies of all the individual members of the hostile States. * * * It also extends to property, and gives to one belligerent the right to deprive the other of everything that might add to his strength and enable him to carry on hostilities.

These principles are fully recognized by the Supreme Court in the case of Mrs. Alexander's cotton (2 Wallace, p. 404).

Upon strict principle it would seem that no claim can exist in favor of any person, loyal or disloyal, for property, real or personal, destroyed or damaged by the express order of our military officers, or by the wanton, unauthorized acts of our soldiers, or by the direct action of the enemy. Such damage may all be regarded as the result of inevitable accident or necessity.

In time of peace no government assumes to indemnify its citizens against loss by robbery, theft, burglary, arson, or by any act of mere trespass. And this is true whether the illegal acts are done by one person or by many persons. The same rule is applicable to citizens who suffer loss by foreign or domestic enemies. The government is no more bound to repair the losses of citizens by the ravages of war than to indemnify them against losses by arson or other individual crimes, or against destruction by earthquakes or lightning.

In order rightly to consider the various classes of war-claims, it is necessary to keep constantly and clearly in mind the distinction between the taking or destruction of property and the acquisition of property for public use by the right of eminent domain. This is by no means a modern distinction, invented for the protection of the government against claims arising out of the war, but rests upon well-settled principles older than the Republic.

Vattel (Law of Nations, chap. 15, p. 403) recognizes the law of necessity in time of war thus:

> But there are other damages caused by inevitable necessity, as, for instance, the destruction caused by artillery in retaking a town from the enemy. These are merely accidents. They are misfortunes which chance deals out to the proprietors on whom they happen to fall.

In Respublica *vs.* Sparhawk (1 Dallas, 362), it was said:

> During the war of the Revolution, Congress had a right to direct the removal of any articles that were necessary to the Continental Army, or useful to the enemy and in danger of falling into their hands; and one whose property, so removed, was afterward captured by the enemy was held not to be entitled to compensation from the commonwealth.

In that case Chief Justice McLean, delivering the unanimous opinion of the court, gives several illustrations of the rights of necessity as forming part of the law. If a road be out of repair, a passenger may lawfully go through a private inclosure. So, if a man is assaulted, he may fly through another's close. In time of war bulwarks may be built on private ground. Houses may be razed to prevent the spreading of fire, because for the public good.

Another case illustrates this law of overruling necessity. Where property had been destroyed to arrest the progress of a fire and it was

claimed to be a taking for the public use within the meaning of the constitution of New York, the court say:

> The destruction of this property was authorized by the law of overruling necessity. It was the exercise of a natural right belonging to every individual, not conferred by law, but tacitly excepted from all human codes. The best elementary writers lay down the principle, and adjudications upon adjudications have for centuries sustained and sanctioned and upheld it, that, in a case of actual necessity to prevent the spreading of a fire, the ravages of a pestilence, or any other great public calamity, the private property of any individual may be lawfully destroyed for the relief, protection, or safety of the many without subjecting the actors to personal responsibility for the damages which the owner has sustained. (Russell *vs.* The Mayor, &c., 2 Denio, 473.)

Although there are a few unimportant authorities and dicta to the contrary, the above is undoubtedly a fair statement of the principle applicable to such cases.

The principles here laid down may be found fully and ably discussed in the report of Mr. Lawrence upon "War claims and claims of aliens," (Report H. R. No. 262, 43d Congress, 1st session.) They have been under consideration by Congress in various cases, in several of which acts for relief have been passed which did not receive the approbation of the Executive, and which deserve consideration here. One was an act for the relief of J. Milton Best (Senate Ex. Doc. No. 8, 2d session, 42d Congress). The following are extracts from the President's veto message:

> The bill appropriates the sum of $25,000 to compensate Dr. J. Milton Best for the destruction of his dwelling-house and its contents, by order of the commanding officer of the United States military forces at Paducah, Ky., on the 26th day of March, 1864. It appears that this house was one of a considerable number destroyed for the purpose of giving open range to the guns of a United States fort. On the day preceding the destruction the houses had been used as a cover for rebel troops attacking the fort, and apprehending a renewal of the attack, the commanding officer caused the destruction of the houses. This, then, is a claim for compensation on account of the ravages of war. It cannot be denied that the payment of this claim would invite the presentation of demands for very large sums of money; and such is the supposed magnitude of the claims that may be made against the government for necessary and unavoidable destruction of property by the Army, that I deem it proper to return this bill for reconsideration.
>
> It is a general principle of both international and municipal law that all property is held subject not only to be taken by the government for public uses, in which case, under the Constitution of the United States, the owner is entitled to just compensation, but also subject to be temporarily occupied, or even actually destroyed, in times of great public danger and when the public safety demands it; and in this latter case governments do not admit a legal obligation on their part to compensate the owner. The temporary occupation of, injuries to, and destruction of, property, caused by actual and necessary military operations, is generally considered to fall within the last-mentioned principle. If a government makes compensation under such circumstances, it is a matter of bounty rather than of strict legal right.

An act for the relief of Thomas B. Wallace (Senate Ex. Doc. No. 86, 2d session, 42d Congress) was vetoed by President Grant, who refers to the case of J. Milton Best as being of the same nature and character.

The bill for the relief of the East Tennessee University (Senate Ex. Doc. No. 33, 3d session 42d Congress) was returned by the President without his approval, as resting upon the same principles as those laid down in the case of Best; and the President says:

> If the precedent is once established that the government is liable for the ravages of war, the end of demands upon the public Treasury cannot be forecast.
>
> The loyalty of the people of the section in which the university is located, under circumstances of personal danger and trials, thus entitling them to the most favorable construction of the obligation of the government toward them, is admitted; and nothing but regard for my duty to the whole people, in opposing a claim which, if allowed, will entail greater burdens upon the whole than the relief which will be afforded to a part by allowing this bill to become a law, could induce me to return it with objections.

In returning the bill for relief for destruction for Manchester (Ky.) Salt Works, with his objections thereto, the President says:

> I understand * * * the salt-works were captured from the rebels, that it was impracticable to hold them, and that they were demolished so as to be of no further use to the enemy.
>
> I cannot agree that the owners of property destroyed under such circumstances are entitled to compensation therefor from the United States. * * *
>
> This bill does not present a case where private property is taken for public use in any sense of the Constitution. It was not taken from the owners, but from the enemy; and it was not then used by the government, but destroyed. Its destruction was one of the casualties of war; and though not happening in actual conflict, was perhaps as disastrous to the rebels as would have been a victory in battle.
>
> Owners of property destroyed to prevent the spread of a conflagration, as a general rule, are not entitled to compensation therefor; and, for reasons equally strong, the necessary destruction of property found in the hands of the public enemy and constituting a part of their military supplies, does not entitle the owner to indemnity from the government for damages to him in that way.

On the 27th of November, 1864, General Sheridan issued an order, which was executed, to destroy all "forage and subsistence, burn all barns, mills, and their contents, and drive off all stock in Loudoun County, Virginia." A part of the stock was used by the Army, and the rest driven into Pennsylvania and sold, and the proceeds paid into the Treasury. A claim was presented to Congress for the property destroyed and for that thus used and sold. Congress refused to provide for the payment of any part thereof, excepting for the live stock seized in conformity with the order of General Sheridan, partly slaughtered and used and partly sold, and the proceeds paid into the Treasury. (See act of January 23, 1873, vol. 17, p. 713.)

In the case of Josiah O. Armes (act of January 31, 1867, vol. 14, p. 617), Congress provided for payment for damages sustained by him in consequence of the burning of his buildings and the destruction of his property at Annandale, Va., by the United States troops. This case is, however, exceptional, and seems to have been in the nature of a bounty or reward, in consideration that "Armes was of service to our troops in giving information of the movement and situation of the rebels," and that his wife "came in one dark night at the risk of her life" to give information to the Union military authorities.

If the principles which have heretofore governed this class of claims are to be changed, it should manifestly be done, not by special acts providing relief in particular cases, but, as suggested by the President in Best's case—

> By general legislation to provide some means for the ascertainment of the damage in all similar cases, and thus save to claimants the expense, inconvenience, and delay of attendance upon Congress, and, at the same time, save the government from the danger of having imposed upon it fictitious or exaggerated claims supported wholly by *ex-parte* proof. If the claimant in this case ought to be paid, so ought all others similarly situated.

Although, as we have seen, the government is not bound by the principles of international law to make compensation for property taken, used, destroyed, or damaged in an enemy's country by the operations of the Army, yet most governments have recognized the propriety of relieving those loyal citizens upon whom the burdens of war have borne most severely.

Immediately upon the close of the German war, France appropriated 100,000,000 francs to be apportioned among the most necessitous victims of the war; and a further sum of 6,000,000 francs to be distributed among those who suffered most in the operations attending the attack made by the French army to gain re-entrance into Paris.

It was the policy of the United States in the war with Mexico, although in an enemy's country, generally to buy subsistence of the owners at a fair price, although the Secretary of War, Mr. Marcy, instructed the commanding generals that, if necessary, they might require contributions without paying or engaging to pay for them.

In 1873, the legislature of Ohio appropriated a sum of money to pay for property taken, destroyed, or injured by the rebel and Union forces in what was known as the Morgan raid. The legislature of Pennsylvania also, in 1868, made an appropriation for indemnifying the citizens of Chambersburg for the property destroyed by the rebel invasion. This was paid, not upon the ground of a legal right, but expressly upon the ground of generous consideration for those citizens who had thus suffered.

In the late rebellion, probably in most instances, supplies and stores were regularly purchased of the owners at fair prices and regular vouchers given. And in such cases the government makes no distinction between loyal and disloyal citizens as to its obligation to fulfill contracts thus legally made.

There seems to be nothing in the Constitution which restrains Congress in the exercise of a spirit of generosity toward those who have suffered most severely by the fortunes of war. Upon the same principle upon which rests the whole system of pensions for valuable services or for suffering in the service of the country, there seems to be no reason why Congress may not grant indemnity by way of reward for extraordinary loss or damage to loyal citizens by the operations of our armies.

The act of July 4, 1864 (vol. 13, p. 381), provides—

> That the jurisdiction of the Court of Claims shall not extend to or include any claim against the United States growing out of the destruction or appropriation of, or damage to, property by the Army or Navy, or any part of the Army or Navy, engaged in the suppression of the rebellion.

But this provision, it will be observed, is not limited to territory declared in insurrection.

The act of 1864, in the second and third sections, authorized allowance for quartermasters' stores and subsistence furnished to or taken by the proper officers of the Army.

The act of February 21, 1867 (vol. 14, p. 397), which is entitled "An act to declare the sense of the act" of 1864, provides that said act shall not be construed to authorize the settlement of any claim for supplies or stores taken or furnished for the use of or used by the Army of the United States, nor for the occupation of or injury to real estate, nor for destruction or damage to personal property by the military authorities of the United States, where such claim originated during the war in a State or part of a State declared in insurrection, &c.

Construing these acts together, they seem clearly intended to cut off any claim whatever before the Court of Claims or the executive departments for any injury to real estate or personal property in the insurrectionary districts growing out of the operations of the Army. They intended only to provide for the payment, through the executive departments, for stores and subsistence taken by or furnished to the Army "through the proper officers."

Under these provisions, it is understood, the officers of the War Department have not, in fact, restricted themselves to claims for stores and subsistence furnished to or taken by *such officers*, but allow claims if convinced that they are just, and that the stores or subsistence have been actually received or taken for the use of and used by the Army.

Following the provisions of the foregoing acts for payment of claims of loyal citizens for quartermasters' stores and commissaries' subsistence used by the Army in non-insurrectionary territory comes the act of March 3, 1871 (vol. 16, p. 524), creating the Board of Commissioners of Claims.

The jurisdiction of this board, briefly stated, extends to the allowance of claims of loyal citizens for stores or supplies taken or furnished during the rebellion for the use of the Army and Navy of the United States in States proclaimed in insurrection. It also extends to the use and loss of vessels and boats employed in the military service of the United States. The jurisdiction and practice under this act is more fully considered under the title "Commissioners of Claims."

LIMITATION OF CLAIMS AND PROTECTION AGAINST FRAUDS.

All enlightened nations have provided limitations of time within which claims against individuals and against the government should be prosecuted, or, for want of such prosecution, be forever barred. These provisions, which may be said to be universal in all the codes of civilized nations, rest partly upon the theory that the public peace demands an end of litigation, but mainly upon the well-founded assumption that persons having lawful claims will not fail to prosecute them within a reasonable time, and that a delay beyond such time furnishes a presumption that the claim is unfounded. It is well understood that transactions that are recent, so that persons cognizant of them may be found with perfect memory of the attendant circumstances, may be satisfactorily investigated, and that the longer such investigation is delayed the more unsatisfactory becomes the evidence and the more easily is falsehood substituted for truth and imagination for reality.

In most of the States the neglect of the party, who is in condition to bring suit, to prosecute a claim against an individual for the term of six years, furnishes a conclusive presumption that such claim is unfounded or has been fully satisfied.

This statute of limitations in personal suits, by common consent of most civilized nations, is regarded as doing more substantial justice between the parties than would be done by allowing the party to attempt, even in a court of justice, to sustain a claim of longer standing,

Even in questions of the title of real estate, an acquiescence in a known adverse claim furnishes a conclusive presumption that a claimant, out of possession and in condition to bring suit, whatever may be his record-title, has released or forfeited his claim to the estate.

The claimant in either case has forfeited his right, not because he may not have a promissory note or title deed which he may produce in support of his claim and which the defendant would be unable to explain, but because experience has shown that a claimant, having a just claim and knowing it to be such, will always hasten to enforce it, and a defendant, having a just right, may, by lapse of time, lose, through the death of witnesses or the loss of papers supposed to be no longer valuable, the evidence of his defense.

The claimant inquires, with some show of reason, "Why, if my claim is just, should I not be allowed to prove it at any time?" The law, based upon human experience, replies, "If your claim had been just, you would have prosecuted it within a reasonable time and would not have waited until the witnesses of the transaction are dead or have lost their memory or are in parts unknown; and it is fair to presume from your own conduct that your claim is not well founded."

All these reasons apply in full force to claims against the government.

The government is always able to pay; it can always be found, and its tribunals are always open for the reception and proof of all just claims. The experience of all accounting-officers and others connected with government claims concurs in this: that claims which are recent and are presented while the parties and witnesses to them are accessible, are usually moderate and reasonable, while with every change of agent and with every lapse of years they are continually increased and exaggerated, so that claims, which at first are for hundreds of dollars, are often increased, after being repeatedly presented to Congress or other tribunals, to thousands and even hundreds of thousands of dollars.

There should be, therefore, no hesitation in providing statutes of limitation, never exceeding the six years usually adopted by State legislation, and a much shorter term in classes of cases which may and should be readily presented for payment.

MODE OF PROOF.

We can have no better guide as to the proper methods to be adopted for the proof of claims against the government than the universal consent of free governments, like that of our States and of Great Britain, as to what shall be deemed the best methods of ascertaining truth.

The best evidence of which the nature of the case will admit is what is demanded by all courts of justice. The production of original papers, rather than of pretended copies; the sworn statement of the witness himself to facts known of his own knowledge, and not the hearsay of third parties; the examination and cross-examination of the witness under the solemnities of an oath, and not his *ex-parte* statement privately taken; a public hearing where both parties may be present, and a public record of proceedings open to inspection: these are some of the safeguards which, by the experience of the wisest legislators, have been placed around the judicial investigation of questions of law and of fact.

No thoughtful man will say that they are not essential to the fair and full administration of justice as between parties and as between the government and its claimants.

Now, it is evident that, as the executive departments are constituted, they can by no means comply with these requisites for a fair investigation. They cannot hold open sessions where both parties may be present and where witnesses may be produced to testify. They cannot even attend to cross-examine witnesses whose testimony is required by the claimants, nor have they the means to investigate facts in remote parts of the country so as to controvert false statements or support the truth. *Ex-parte* affidavits are usually received; private statements of counsel and parties are listened to; papers are referred to officers, who, if not incompetent, will be supposed by the losing party to be so. The decisions, if of record, are not publicly made, and, in the nature of things, cannot satisfy. New officers succeed each other in the various departments, and old claims are brought up for rehearing by new agents or attorneys. The executive, even, if new in office, is beset with complaints that justice has been denied the claimant. Cases are examined and re-examined with every change of any officer within whose province the case may come, and there, is literally, no end of litigation.

EX-PARTE EVIDENCE.

Too much stress cannot be laid upon the importance of cross-examination of witnesses, and upon the presentation of both sides of the case to be investigated. Judges and others experienced in the trial of cases

appreciate these points. No person of experience presumes to form an opinion upon hearing one side only of a case, although the evidence be all given upon full cross-examination and be of the highest character of which the case will admit.

Indeed, it is expected that a plaintiff, presenting his case under every test of truth that can be applied by opposing counsel, will be able to make out a case entitling him to a verdict, unless the defense is heard. After the defense has been put in, and the whole matter examined with the severest scrutiny by counsel, court, and jury, many cases still remain so doubtful that no verdict can be rendered.

Now, if, instead of such a trial, affidavits of witnesses who are entirely unknown, taken by agents or attorneys of whose good character no assurance can be given, taken, too, in the absence of any party interested to test the claim, are received, there can be no approximation, even, to a fair investigation.

I have myself known of affidavits of freedmen, introduced in support of claims for cotton alleged to have been improperly seized, who testified from memory, after a lapse of many years, as to the marks and numbers upon bales of cotton for the purpose of identification, who could not even write their names, but signed their affidavits by a cross; and this is not an unfair specimen of the evidence upon which claimants often insist that their claims should be allowed in the department.

REFERENCE TO COURT OF CLAIMS.

In the Court of Claims we have a tribunal which has the prestige of a court of justice. Its judges are appointed for life; they are men known to be learned in the law, presumed from their position to be competent and impartial. They hold their sessions in public and conduct their business systematically, taking up their cases with full notice to the parties, and hearing them deliberately upon evidence taken upon notice and cross-examination. In the admission of testimony they are governed by the principles of law established by the highest courts. At least three of the five judges are required to agree in all matters of fact as well as in matters of law; and their decisions, as well as their interlocutory proceedings, are of record; and an appeal lies from their judgment in all proper cases to the Supreme Court of the United States. Judges of such a court are not approached by parties or attorneys with *ex-parte* statements, as most committees and commissions allow themselves to be; and their judgments, in the estimation of the community, are fairly based upon the law and the evidence, and command a respect due to no tribunal in this country except a court of justice.

I think that provisions of law which shall take from the departments all disputed questions of law and fact which are of importance enough to occupy the attention of such a court, and refer them to the Court of Claims, would not only relieve the department from a great labor, for which it is entirely unprepared, but would at the same time give to the claimant a manifestly fair tribunal, whose judgments he could not escape nor misrepresent, and, finally, would promote the ends of justice both as regards the claimant and the government.

APPROPRIATIONS.

However just a claim may be, and however imperative the law for its payment, the Secretary has no power to grant a warrant for its payment except in pursuance of an appropriation for the purpose; and it

often becomes a question of great difficulty whether any appropriation exists out of which a claim which is found by the accounting-officers to be just can be paid.

Section 3678, Revised Statutes, provides that—

> All sums appropriated for the various branches of expenditure in the public service shall be applied solely to the objects for which they are respectively made, and for no others.

By sections 3687, 3688, and 3689, Revised Statutes, certain appropriations are made which are entitled "permanent annual appropriations," and in the margin of section 3689, Revised Statutes, "permanent indefinite appropriations."

By the decision of the Secretary, of April 20, 1877, these appropriations are construed to be annual appropriations, and to be—

> Subject to the same rules, limitations, and qualifications as the usual annual appropriations made by Congress. Any other construction of the act would defeat its object. Money would be taken from the permanent annual appropriation for horses and steamboats lost in the public service and applied to pay for horses lost twenty years ago. Money would be taken from the appropriations for the customs-service and used for the payment of claims that accrued twenty years ago, and for the interest thereon. Thus old claims would be paid out of permanent annual appropriations, and would be barred neither by lapse of time nor by adverse decisions.

Section 5 of the act of June 20, 1874 (18 Stats. at L., p. 110), provides that all unexpended balances of appropriations, with certain exceptions, which shall have remained on the books of the Treasury for two fiscal years, shall be carried to the surplus fund and covered into the Treasury.

The conclusion of the Secretary is that he is—

> Not authorized to draw any money from the Treasury * * * in payment of any claims covered by either permanent or ordinary annual appropriations that do not clearly fall within the limitation fixed by the act of June 20, 1874, or within the exceptions named.

Practically, the application of this rule prevents the payment of a large class of refunds of customs-duties improperly collected, and of refunds of internal revenue taxes and penalties illegally collected, and the payment of a large class of claims under the act of March 3, 1849, and March 3, 1863, embodied in sections 3482 to 3487, Revised Statutes, as well as many others, where the claims originated more than two full fiscal years before their allowance.

The annual estimate for the refunds of custom-duties is $2,000,000; that for the refunds of taxes and penalties illegally collected by the internal-revenue department, $400,000.

Prior to the order of the Secretary, refunds of customs-duties improperly collected had been made under section 3012½, Revised Statutes, and section 989, Revised Statutes, while the interest and cost accruing thereon had been paid under section 3687, Revised Statutes, out of the appropriation for expenses for collecting the revenue from customs, without regard to the time when the claims accrued; and the refunds of internal revenue taxes and penalties had been made under the authority of section 3220, Revised Statutes, and of the appropriation in section 3689, near the bottom of page 730, Revised Statutes, "to refund and pay back duties erroneously or illegally assessed or collected under the internal-revenue laws."

It is manifest that the general intention of Congress is not only to pay these claims, but to pay them promptly; and any delay to refund duties or taxes improperly collected, after the amount is ascertained, is unjust to the claimant.

It is hoped, therefore, that Congress will at once remove any doubt arising as to the proper construction of existing statutes, and either

declare distinctly out of what appropriation the various classes of cases referred to should be paid, or make specific appropriations for their payment hereafter as soon as the amount can be ascertained.

Respectfully submitted,

HENRY F. FRENCH,
Assistant Secretary.

Report of Special Inspector Davis relative to charges and commission cases.

OFFICE OF SPECIAL AGENT TREASURY DEPARTMENT,
Boston, Mass., October 19, 1877.

SIR: Respectfully referring to a partial report made by me on the 27th ultimo, for reasons therein stated, in relation to the so-called "charges and commissions" cases in New York, I desire now to make a final report, to be substituted for the partial report referred to.

For the convenience of the department, I have thought best, without referring further to said partial report, to proceed *de novo* in this, which will embrace all that I have before reported and correct some errors which I have since discovered in my former communication, which, though not particularly important, should be corrected.

In obedience to your verbal order, I entered upon the required investigation, making inquiries and examinations in the order in which they were directed by the Secretary of the Treasury in his letter to you dated August 1, 1877 A. K. T).

For this purpose, I examined the dockets, letter-books, and files at the custom-house in New York, and conferred with the district attorney, the clerk of the United States circuit court, with Messrs. Craig and Webster, special attorneys for the collector in the cases brought in the northern district of New York, and with the two attorneys representing the plaintiffs in all these pending suits.

I found that neither from the records of the court or at the custom-house, nor from any person alone, could I obtain the desired information; neither the dockets at the custom-house nor the court-house, as a rule, showed anything to distinguish the cases in question from thousands of others; and it therefore became necessary to run down nearly all the cases against the collector, until I could find something which would indicate the cause of action. This I have done at the custom-house and court.

You will readily understand that this has been a long and tedious undertaking, calling for all the diligence and patience at my command.

As the result of my labors, I have to report as follows:

1st. "As to whether protests were duly lodged at the custom-house and filed with each entry covered by these suits within the time prescribed by law."

It would require the work of several months to enable me to make such answer to this question as would be approximately satisfactory even to myself. The files of entries at the custom-house would have to be thoroughly searched, and to get them, all the manifests of foreign vessels would have to be examined, as that is the only clew to the importations of the various individuals.

After all this had been done, and the protests, if any, found, I should not be at all certain that they were genuine, or were filed or attached to the entries within the time prescribed by law.

It is admitted by the attorneys of the plaintiffs that the protests were not filed with each entry, but that they relied upon a general protest filed with the first entry as to which they make claim, and made to apply to it, and also to all future entries.

I found quite a number of these attached to the entry by mucilage, being affixed under the owner's oath or other paper, so as to be hidden from sight without lifting it up. I noticed in one or two instances that in raising the paper under which the protest was affixed, they had torn it from the main sheet.

I have but little doubt that a protest will be found upon one of the early entries of each claimant. There is, however, no record or other means of determining the date when it was affixed. From the admissions of the attorneys no protest or appeal were made as to the entries subsequent to March 3, 1857, such as were required by the act of tha date.

2d. "Whether the several suits were brought within six months from the dates of payment of duty on such charges and commissions."

The suits are invariably predicated upon a large number of entries, extending in some instances over a term of several years.

A large proportion of the suits were not brought for several years after the date of the last entry. If the statute of limitation had been pleaded, most if not all of the items would have been barred; that is to say, in some instances all and in others nearly all of the items would be barred by the statute.

3d. "The number of such suits still pending, the titles, amounts involved, and date of commencement of suit to be given in detail in each case."

In answer to this I present a tabulated list, marked A, of all cases in which verdicts or judgments have been rendered and references made, covering, as I believe, every "charges and commissions" case, whether paid or still pending.

The reason for presenting the *entire* list is, that many of the paid cases have been reopened and others are liable to be.

This list will show the date of each suit, the names of the plaintiffs and defendants, the collector's and district attorney's docket number, the date of payment, the name of the referee, and the date of the verdict or reference. The large colored pencil figures, 3, 4,* &c., in the body of the several pages, are my own, and refer to the respective orders of court or stipulations, copies or extracts of several of which I have grouped together in exhibit marked B, bearing corresponding numbers shown in Exhibit A upon the list of cases to which they respectively relate.

It will be observed that in the cases examined by the Hon. Edwards Pierrepont, referred to him April 22, 1871, and April 19, 1872, and the cases which were referred to John I. Davenport December 4, 1874, January 19, 1875, and December 18, 1876, several of which have been disposed of, no verdicts were rendered.

In those cases the procedure was as follows:

After the adjustment was completed judgment was entered up for the amount of the findings, with the costs of the court and referee's compensation added, the judge determining in each case the amount of the referee's compensation. The results were then certified and forwarded by the collector to the department for payment.

There is another list to be found on pages 71 and 72,† of Exhibit A, in which there was neither verdict nor reference, as far as I can discover. The last action taken in these cases, that I can find, is as late as the latter part of 1876, when they were all noticed for trial at the then next term of court. This is what appears upon the district attorney's docket.

The printed list (No. 54) in Exhibit A embraces the entire lot pend-

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[* These figures appear in black type in the print.—PRINTER.]

† Page 100 of print.

ing in the northern district of New York. I inclose three printed pamphlets, Exhibit E,* containing all the motions in the last-mentioned suits, and substantially giving a history of them.

I have prepared a statement, Exhibit C, showing the amounts of all refunds, and in referring to the time of payments I have used the date of the sending the statements to the department, as that is better order of dates than the second or Washington date, which varies somewhat, depending entirely on the time that the statements were held there. This account I made out, not only that the department might know how much and when these refunds had been paid, but that I might determine whether or not a claim had been twice paid.

This, I am satisfied, has not been the case, except, perhaps, in one instance, which, I think, deserves careful examination of the papers on file at the department. I refer to the cases of M. Mitchelll et al. (Mitchell & Pott) *vs.* Redfield, one of which commenced September 29, 1860; verdict May 2, 1861; was paid September 10, 1861, the amount being $4,312.16. (See No. 555, page 5, Exhibit C.) No other suit in their favor against Redfield appears to have been commenced until April 15, 1862; but there appears upon the collector's books to have been another refund to the amount of $2,477.32 September 20, 1861. The case No. 555 was reopened January 27, 1877. The department can easily determine as to this by the papers in its posession.

There were several cases adjusted during the years 1856, 1857, 1858, 1859, and 1860 without suit, as will appear upon the first three pages of Exhibit C and occasionally on the four following pages. It will be noticed that docket numbers first appear at the head of the fourth page. But few suits were begun before 1860.

In further explanation of Exhibit A, as to the cases that appear to be unpaid, I have set in the right-hand margin the letter G against those claims as unpaid by A. W. Griswold, and for those claimed by Mr. Coughtry the letter D. Against all other cases which do not appear to have been settled, but which probably have been or were found to be worthless, I have marked Z.

The Z cases are among the early verdicts, and undoubtedly were either consolidated with others of the same plaintiffs or, as I have said, were found worthless upon adjusting. This could not be determined by me on account of the many changes made in the customs clerks for the past 18 years.

It will be noticed by Exhibit C that—

The number of cases settled prior to 1860 without suit is	65
The number of suits brought	1,406
Making a total of cases settled without suit and suits commenced of	1,471

The number pending and not disposed of I find are as follows:

The Z cases, unclaimed	36
Mr. Griswold's list, which agrees with mine	170
Mr. Coughtry's list, which agrees with mine	570
Total pending	776
The number paid was	723
Of which were reopened and paid	28
Leaving as paid of the original cases	695

So it will be seen that not half are yet settled.

[*Not transmitted.—PRINTER.]

In these 695 cases 733 payments were made, amounting in the aggregate to $2,035,172.20, and averaging $2,814.89 each case, among which are six payments, aggregating some $206,000, for sea-coast freight on iron. It is said that there are no similar cases unadjusted. Now deduct those large refunds from the total amount paid and it shows the average value of the paid claims to have been about $2,640.

The enclosed Exhibit D is a list of claims now before the department, twelve in all, showing the amount due $42,201.71, or about $3,500 each. On another part of the same sheet is a list of cases made up which they do not intend to forward to the department until those now there are disposed of. These are 12 in number and aggregate the amount of $27,917.12, or about $2,300 each.

I know of no reason why these twenty-four cases would not fairly represent the value of the remaining cases.

With these last cases adjusted, averaging $2,900, or a shade above the average of the 723 payments beginning seventeen years ago, my estimate would be as follows:

Total number of open claims		776
Strike out as worthless the Z's	36	
Also the northern district cases barred	60	
	—	96
Leaves to be disposed of		680
Then strike out from these a fair percentage, as the Z cases above, which will prove to be trifling or worthless, say		30
Leaves, as pending, the number of		650

which the average of last year's adjustment, $2,900 each, would amount to $1,885,000.

If the original claims should prove to average smaller, the accumulation of interest will probably more than compensate for the falling off, leaving the result substantially as estimated.

Mr. Coughtry remarked to me that he would settle all of his claims for the sum of $300,000. Mr. Griswold, I am credibly informed, says that his claims will last him his life-time. The district attorney, upon the assumption that only 400 cases were pending, estimated that $900,000 would be needed to satisfy them.

It will be noticed that in my estimate I have not taken into account the amounts that may be recovered by re-opening cases far re-adjustment.

Upon the rule established by the court as to this matter (see 51 in Exhibit B). I see no reason why all of the cases may not possibly be re-opened.

It is absolutely impossible for me to do more in answer to the 3d interrogatory as to the amounts involved in pending cases than to estimate it as above.

It should be borne in mind that the adjustment of each suit is attended with great labor, and necessarily occupies a great deal of time, as each case is made up of a great number of alleged excessive exactions, generally quite trivial, comparatively, but aggregating, with accumulated interest, a considerable sum.

For seventeen years the attorneys for the plaintiffs have been diligently at work in prosecuting these adjustments, aided a good share of the time by one or more clerks in the custom-house.

From the progress that has been made thus far it is safe to judge that it would be the work of several years to ascertain the amount of pending claims.

It seems remarkable to me that a more thorough and vigorous defense, if one was to be made at all, should not have been interposed in these cases, considering that the amount involved is measured by millions of dollars.

I have no doubt that had defense in these cases been the same as was urged in the northern district, the result would have been equally as favorable and satisfactory to the government.

It is a noticeable feature in the case that several of the officers of the government who have immediately had to do with these claims from the Solicitor of the Treasury to the United States attorney and special agent, on retiring from the public service have been at once engaged for the plaintiffs to aid in the prosecution of these claims. I refer to the late Solicitor Jordan, E. D. Smith, late district attorney, and Special Agent Abbott.

I would call particular attention to the statement of H. J. Glowiski, a copy of which will be found in Exhibit B, marked 54.

The original statement I found in the district attorney's safe, and relates particularly to the cases in the northern district, but of course the application is general.

I am, very respectfully, your obedient servant,

J. W. DAVIS,
Special Agent.

N. W. BINGHAM, Esq.,
Special Agent of the Treasury.

EXHIBIT A.

Suits in the charges and commissions cases in New York, with date of action, names of plaintiffs and defendants, collectors and district attorneys, docket number, date of verdict or of reference, name of referee, and date of payment; also cases unsettled.

3.

Verdicts of January 26, 1860.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Oct. 15, 1857	E. A. Oelrichs et al	H. J. Redfield ...	327	Nov. 11, 1865	Referred to S. G. Ogden for adjustment.
Oct. 12, 1858	J. B. Wellington et al.....	....do	45	Nov. 16, 1861	
Oct. 12, 1858	V. Barsalon et al	....do	44	Oct. 16, 1860	
Oct. 6, 1858	C. Gignoux et al.....	Bronson	36	Feb. 9, 1860	
Oct. 7, 1858	.....do.....	Redfield	42	Feb. 21, 1860	
Oct. 12, 1858	E. M. Davis et al.....	....do	48	Mar. 19, 1861	
Oct. 12, 1858	J. W. Schulten et al. (Re-opened January 27, 1877.)	....do	46	Mar. 22, 1860	
Sept. 2, 1858	.....do.....	Bronson	29	Mar. 6, 1860	

Suits in the charges and commissions cases in New York, &c.—Continued.

4.

Verdicts of April 30, 1860.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Nov. 3, 1859	C. E. Habicht et al.....	Redfield	309	Aug. 23, 1870	Referred to the collector of customs.
Jan. 20, 1860	G. Ashton et al.....	....do	423	Apr. 5, 1862	
Oct. 12, 1859	William Loeschigk et al. (Reopened January 27, 1877.)	Bronson	294	Mar. 20, 1861	
Oct. 12, 1259	Henry Gourd et al.....	....do	293	May 11, 1861	
Nov. 1, 1859	C. E. Borsdorff et al	Redfield	366	Feb. 14, 1861	
Nov. 1, 1859	F. A. Spies et al	....do	360	May 18, 1861	
Nov. 3, 1859	William Brunner et al. (Reopened January 27, 1877.)	....do	310	Dec. 13, 1861	
Nov. 1, 1859	E. Warburg et al. (Reopened January 27, 1877.)	....do	361	Sept. 27, 1860	
Oct. 18, 1859	Henri Gourd et al. (Reopened January 27, 1877.)	....do	295	June 6, 1860	
Nov. 1, 1859	E. B. Strange et al. (Reopened January 27, 1877.)	....do	353	Jan. 19, 1864	
Nov. 1, 1859	L. Guillaume et al. (Reopened January 27, 1877.)	....do	357	Apr. 20, 1861	
Nov. 1, 1859	William Loeschigk et al	....do	367	July 2, 1860	To the collector.
Nov. 3, 1859	O. Zollikoffer et al. (Reopened January 27, 1877.)	....do	312	Dec. 11, 1860	
Nov. 1, 1859	C. Dord et al	....do	356	Dec. 8, 1864	
Apr. 6, 1860	William Loeschigk et al....	Schell	442	Aug. 4, 1860	
Nov. 1, 1859	R. A. Witthaus et al.....	Redfield	362	May 2, 1865	
Nov. 1, 1859	F. Schuchardt et al. (Reopened January 27, 1877.)	....do	345	May 26, 1860	

5.

Verdicts of May 8, 1860.

Aug. 26, 1858	Toledo, Wabash and Western Railroad.	Redfield	25	May 26, 1860	To collector.
Aug. 26, 1858	A. Booday et al.....	....do	24	May 26, 1860	
Oct. 12, 1858	D. V. Freeman et al	....do	43	.....	Z.

6.

Verdicts of May 9, 1860.

May 9, 1859	E. B. Strange et al	Redfield	349	Jan. 27, 1864	To collector.
Mar. 17, 1860	C. Gignoux et al	Schell	430	Feb. 26, 1861	
April 6, 1860	C. F. Dambmann et al	....do	443	Oct. 16, 1860	
Nov. 1, 1859	T. Passavant et al. (Reopened January 27, 1877.)	Redfield	363	Apr. 6, 1861	

Suits in the charges and commissions cases in New York, &c.—Continued.

7.

Verdicts of May 10, 1860.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Nov. 1, 1859	C. Payne et al. (Reopened January 27, 1877.)	Redfield	359	Nov. 15, 1860	To collector.
Oct. 12, 1859	F. A. Spies et al. (Reopened January 27, 1877.)	Bronson	291	May 18, 1861	
Nov. 1, 1859	John Syz et al. (Reopened January 27, 1877.)	Redfield	368	Mar. 11, 1861	
Nov. 1, 1859	C. Dambmann et al. (Reopened January 27, 1877.)	....do	348	July 29, 1864	

8.

Verdict of May 22, 1860.

June 27, 1859	C. G. Clark et al.....	Bronson	197	Apr. 6, 1861	Collector.

9.

Verdicts of May 25, 1860.

Oct. 13, 1858	George Christ et al..... .....do.....	Schell ....do	51 200	July 9, 1860 Aug. 9, 1860	Collector.

10.

Verdicts of October 30, 1860.

Sept. 15, 1860	Ira Bliss	Redfield	536	Nov. 22, 1860	To collector.
Sept. 27, 1860	.....do.....	Schell	539	Nov. 22, 1860	
July 5, 1860	Septimus Crookes.....	Redfield	480	Nov. 20, 1862	See verdicts.
July 5, 1860	.....do.....	Bronson	482	Nov. 20, 1862	Do.

11.

Verdicts of January 3, 1861.

Sept. 18, 1860	R. Irvin et al.....	Redfield	538	Jan. 16, 1861	Collector.
Oct. 13, 1860	.....do.....	Schell	561	Apr. 23, 1862	

Suits in the charges and commissions cases in New York, &c.—Continued.

12.

Verdicts of April 23, 1861.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
May 28, 1860	Charles C. Clark et al	Redfield	475		Z.
Mar. 11, 1861	Ira Bliss	do	608	May 13, 1861	Collector.
Oct. 17, 1860	C. B. Raymond	do	559	May 3, 1863	
May 19, 1860	P. Chouteaux et al	do	476	Mar. 16, 1863	
July 30, 1860	S. Crookes	Maxwell	488	Sept. 30, 1862	
June —, 1860	J. S. Massett	do	484	Mar. 19, 1864	
June 2, 1860	W. W. Gilbert et al	do	473	Aug. 23, 1861	
June —, 1860	C. B. Raymond et al	do	487	Apr. 25, 1863	
June —, 1860	W. W. Gilbert	do	474	July 1, 1861	
Oct. 17, 1860	C. B. Raymond et al	Bronson	560	May 5, 1863	
Sept. 28, 1860	P. Chouteaux	do	557	May 5, 1863	
June —, 1860	C. A. Davis	Maxwell	485	July 15, 1863	
June —, 1860	R. H. Winslow	do	486		Z.

13.

Verdict of April 27, 1861.

Mar. 1, 1860	T. Gimbernat et al	Schell	418	Jan. 17, 1862	Collector.

14.

Verdicts of May 2, 1861.

Nov. 22, 1858	I. C. Brown et al	Maxwell	70	Sept. 4, 1860	To collector.
Nov. 8, 1858	do	Redfield	68	Sept. 28, 1860	
Nov. 8, 1858	do	Bronson	69	Sept. 4, 1860	
Sept. 29, 1860	M. Mitchell et al	Redfield	555	Sept. 10, 1860	
Sept. 21, 1860	H. E. Gillelaw et al	do	541	Mar. 12, 1862	
Nov. 3, 1859	F. A. Spies et al	do	308	Nov. 13, 1874	Referred to Davenport.
Nov. 5, 1859	C. F. Van Blankensteyer et al	do	314	Mar. 13, 1865	
Sept. 28, 1860	J. A. Fischer et al. (Reopened August 13, 1873.)	do	556	Jan. 31, 1865	
Sept. 10, 1860	Henry Lewis, jr. et al. (Reopened January 27, 1877.)	do	545	Mar. 25, 1863	
Sept. 21, 1860	P. S. Hughes et al	do	542	July 16, 1867	
Sept. 21, 1860	James Isler et al	do	540	Aug. 31, 1865	
Sept. 21, 1860	F. M. Jones et al	do	546	July 20, 1869	
Sept. 20, 1860	E. Kaupe et al. (Reopened August 13, 1873.)	do	543	Feb. 15, 1865	
Nov. 1, 1859	T. N. Dale et al. (Reopened August 13, 1873.)	do	347	June 25, 1865	
Sept. 21, 1860	F. Hoose et al	do	544	Dec. 29, 1864	
Nov. 1, 1859	A. S. Amson et al	do	351	Feb. 8, 1867	
Sept. 21, 1860	B. Andræ et al	do	547	Nov. 9, 1861	
Nov. 3, 1859	Henry Benda et al	do	311	Feb. 8, 1867	
Nov. 1, 1859	John M. Davis et al	do	358	May 8, 1865	
Nov. 3, 1859	C. P. Cochrane et al	do	313	Apr. 1, 1865	
Nov. 1, 1859	C. G. Born et al. (Reopened August 13, 1873.)	do	346	Oct. 6, 1864	
Nov. 1, 1859	A. Lachaisé et al. (Reopened January 27, 1877.)	do	354	Apr. 29, 1864	
Oct. 12, 1859	do	Bronson	290	Dec. 3, 1864	
Oct. 12, 1859	B. Babcock et al	do	292	Apr. 16, 1870	
Nov. 1, 1859	I. Rosenthal et al. (Reopened August 13, 1873.)	Redfield	355	Oct. 3, 1865	
Nov. 1, 1859	B. Babcock et al	do	350	Nov. 13, 1874	See Davenport.
Nov. 1, 1859	L. Guillaume et al	do	365	Aug. 19, 1870	
Nov. 1, 1859	F. W. Reener et al. (Reopened August 13, 1873.)	do	352	Aug. 4, 1865	
Nov. 1, 1859	W. Lattimer et al. (Reopened August 13, 1873.)	do	364	July 8, 1864	
Oct. 20, 1860	M. H. Cashman et al	do	567	June 16, 1863	
Oct. 20, 1860	P. A. H. Renauld et al	do	566	Jan. 11, 1864	

Suits in the charges and commissions cases in New York, &c.—Continued.

15.

Verdicts of July 16, 1861.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
	E. A. Oelrechs et al.....	Maxwell	.....	.....	Collector; see payment August 6, 1861, Exhibit C, page 5.
	.....do.....	Bronson	.....	.....	

* See two payments to Oelrichs in August, 1861, which may be for payment of these. I could not trace it farther. These are not claimed by attorney as being open.

16.

Verdicts of February 3, 1862.

Jan. 21, 1862	B. F. Babcock et al.....	Schell	681	Apr. 30, 1862	Collector.
	.....do.....	Redfield	680	Apr. 30, 1862	

17.

Verdicts of February 21, 1862.

Nov. 26, 1861	L. S. Haskell et al	Redfield	678	Oct. 23, 1862	
Nov. 26, 1861	F. R. Fowler et al.....	Redfield, (see 17½)	676	Jan. 21, 1863	Collector.
Oct. 31, 1861	.....do.....	Schell	672	Jan. 14, 1863	
Oct. 30, 1861	L. S. Haskell et al	....do	673	Oct. 23, 1862	
Old suit.....	James Boorman et al	Redfield	839	Apr. 14, 1862	
Oct. 12, 1858	W. L. King, Naylor & Co. et al	....do	47	Mar. 14, 1863	
Jan. 31, 1862	Cleveland and Pittsburgh Railroad.	....do	682	Aug. 22, 1862	
	James Bowman et al	Bronson	.....	Jan. 13, 1863	
Oct. 10, 1862	.....do.....	Maxwell	849	Jan. 13, 1863	
Feb. 5, 1862	C. J. Stedman et al	....do	688	Aug. 9, 1862	
Sept. 28, 1860	E. Bredt.....	Schell	553	Apr. 3, 1867	
Sept. 12, 1860	Henry Leger.....	....do	527	July 3, 1867	
Sept. 27, 1860	P. S. Hughes et al.....	....do	548	Apr. 21, 1868	
Sept. 12, 1860	F. Schachardt et al. (Reopened January 27, 1877.)	....do	528	Dec. 8, 1864	
Sept. 27, 1860	James Islen et al.....	....do	549	Aug. 31, 1865	
Sept. 12, 1860	C. Payen et al	....do	529	Oct. 17, 1863	
Sept. 13, 1860	I. M. Davies et al.....	....do	533	Apr. 26, 1865	
Sept. 12, 1860	E. A. Oelrechs et al.....	....do	530	Nov. 11, 1865	
Sept. 12, 1860	B. Andræ et al	....do	525	Sept. 15, 1865	
Sept. 12, 1860	P. Passavant et al	....do	532	Oct. 26, 1863	
Sept. 12, 1860	H. E. Gielelaw et al	....do	526	Dec. 18, 1863	
Sept. 12, 1860	L. Guillaume et al.....	....do	531	Dec. 18, 1863	
Sept. 12, 1860	W. Brauner et al	....do	524	Mar. 13, 1865	
Sept. 3, 1860	V. Barsalow et al.....	....do	510	Sept. 2, 1863	
Sept. 3, 1860	John Syz et at.....	....do	517	Nov. 5, 1863	
Sept. 3, 1860	W. Lattimer et al.....	....do	511	Dec. 24, 1864	
Sept. 3, 1860	P. A. H. Renauld et al	....do	514	Oct. 10, 1863	
Sept. 3, 1860	E. Blackburn et al.....	... do	512	Nov. 21, 1866	
Sept. 3, 1860	A. Iselin et al	....do	513	May 18, 1863	
Sept. 3, 1860	M. H. Cashman et al.....	....do	516	July 24, 1863	
Sept. 3, 1860	I. B. Wellington et al.....	....do	515	May 2, 1865	
Nov. 6, 1861	Charles Vyse et al.....	....dt	671	May 22, 1863	
Nov. 6, 1861	F. A. Spies et al	....do	670	Apr. 2, 1863	
Sept. 8, 1860	George Christ et al.....	....do	522	.....	Blanket case.
Oct. 9, 1860	.....do.....	....do	564	.....	Mousedelaine case.

Suits in the charges and commissions cases in New York, &c.—Continued.

18.

Verdicts of April 13 *and* 14, 1862.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Aug. 25, 1860	Fred Spring	Schell	503		Z.
Oct. 21, 1861	M. A. Sorchin	Barney	656		Z.
Oct. 13, 1860	Richard Irvin	Schell	561	Apr. 23, 1862	

19.

Verdicts of February 20, 1862.

July 19, 1859	H. A. Richards	Schell	209	Feb. 17, 1862	Collector; verdict for defendant.
Jan. 26, 1861	E. Reese	Redfield	596		Z.

20.

Verdict of May 12, 1862.

Mar. 2, 1862	B. F. Babcock et al	Redfield	714	May 12, 1862	Collector.

21.

Verdicts of June 9, 1862.

Mar. 18, 1862	C. Augrave	Redfield	725	Mar. 9, 1863	
Mar. 12, 1862	do	Schell	724	Mar. 9, 1863	
Mar. 21, 1862	R. Nicol	do	752	Sept. 3, 1864	Collector.
Mar. 25, 1862	do	Redfield	731	Oct. 8, 1864	
Apr. 10, 1862	I. Goodband	do	760	Apr. 29, 1864	
Apr. 10, 1862	E. Robins et al	do	763	July 8, 1864	
Mar. 21, 1862	I. Houldsworth et al	Schell	750	July 9, 1864	
Feb. 27, 1862	F. Butterfield	do	717	Jan. 10, 1863	
Mar. 19, 1862	W. Watson et al	do	748	Jan. 27, 1864	
Mar. 25, 1862	H. B. Claflin et al	Redfield	733	Feb. 19, 1863	
Mar. 25, 1862	W. Clapp et al	do	730	Mar. 9, 1863	
Apr. 10, 1862	L. P. Morton et al	do	762	Mar. 9, 1863	
Mar. 25, 1862	I. Cameron et al	do	727	Jan. 10, 1863	
Mar. 25, 1862	R. McButt et al	do	728	Mar. 13, 1863	
Mar. 21, 1862	do	Schell	751	Apr. 3, 1863	
Apr. 15, 1862	M. Mitchell et al	Redfield	754	Jan. 19, 1864	
Apr. 2, 1862	P. Chouteaux et al	Schell	768	Feb. 27, 1863	

22.

Verdicts of June 26, 1862.

Mar. 7, 1862	F. Butterfield et al	Redfield	711	July 30, 1862	Collector.
Mar. 7, 1862	do	do	710	Oct. 17, 1862	
Mar. 25, 1862	W. Watson et al	do	734	Jan. 18, 1864	
Apr. 10, 1862	W. Sturgis, jr., et al	do	764	Apr. 22, 1863	
Mar. 25, 1862	James Benkard et al	do	732	July 10, 1862	
Mar. 19, 1862	do	Schell	744	July 10, 1862	
June 19, 1862	Thomas Slocumb et al	Redfield	797	June 9, 1863	

Suits in the charges and commissions cases in New York, &c.—Continued.

23.

Verdicts of October 9, 1862.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Aug. 19, 1862	Charles Rhind	Redfield	837	Apr. 3, 1863	Collector.
Sept. 11, 1862	C. J. Stedman	Bronson	838	May 5, 1863	
Sept. 5, 1862	Thomas B. Merrick et al	Schell	843	Nov. 20, 1862	(*)

* See November 20, 1862. Verdict below.

24.

Verdicts of November 20, 1862.

Oct. 18, 1862	J. B. Johnston et al	Schell	851	Feb. 16, 1863	Referred to clerk of court.
Nov. 8, 1862	C. G. Clark et al	Bronson	884	May 5, 1863	
Nov. 10, 1862	James Tinker et al	Schell	885	Jan. 7, 1863	
Nov. 10, 1862	....do	Barney	883	Jan. 7, 1863	
Apr. 2, 1862	P. Chouteaux et al	Schell	768	Feb. 27, 1863	
Sept. 5, 1862	Thomas B. Merrick et al	....do	843		Z.
	R. A. Withans et al	Redfield	738	Mar. 6, 1863	
	L. Curtis et al	Barney	815	Mar. 13, 1865	
	L. Maillard et al	....do	831		Worsted.
Sept. 11, 1862	C. J. Stedman et al	Bronson	838		Z.
Aug. 19, 1862	C. Rhind et al	Redfield	837		Z.
July 5, 1860	S. Crookes	... do	480	Mar. 17, 1863	
July 5, 1860	....do	Bronson	482	May 5, 1863	

25.

Verdicts of January 6, 1863.

June 20, 1862	E. Armstrong	Redfield	802	Mar. 9, 1865	
Nov. 12, 1862	....do	Schell	902	Mar. 9, 1865	
Apr. 10, 1862	A. Pierre et al	Redfield	767	Sept. 13, 1870	Clerk of court.
Nov. 13, 1862	E. Douglass et al	....do	895	Apr. 10, 1863	Set aside; see April 15, 1863.
Mar. 25, 1862	W. Brand et al	....do	729	July 3, 1863	
Mar. 19, 1862	....do	Schell	743	July 24, 1863	
Feb. 27, 1862	F. Butterfield et al	....do	718	Oct. 8, 1864	
Oct. 25, 1862	A. Henry et al	Redfield	869	May 3, 1865	
Mar. 19, 1862	H. B. Claflin	Schell	745	Apr. 4, 1863	
Mar. 19, 1862	W. Clapp et al	....do	746	Mar. 31, 1864	
Mar. 19, 1862	....do	....do	747	Sept. 20, 1870	
	R. McButt et al	....do	.....	Apr. 14, 1863	Vacated.
July 31, 1862	W. Sturgis, jr	....do	825	Apr. 25, 1863	
	....do	....do	.....		Z.
Apr. 10, 1862	A. Gihon, jr., et al	Redfield	766	Apr. 29, 1863	
Oct. 28, 1862	G. H. Stuart et al	....do	861	Feb. 22, 1864	
June 28, 1862	George W. Platt et al	....do	795	Oct. 8, 1864	
July 24, 1862	L. Sampson et al	....do	819	Apr. 11, 1865	
Oct. 25, 1862	William Wiese et al	....do	864	Jan. 31, 1865	
July 31, 1862	G. Hessenberg, Auffmordt & Co.	Schell	828	Oct. 26, 1863	
July 31, 1862	R. A. Schnabel et al	....do	826	June 5, 1865	
Nov. 6, 1862	R. A. Schnabel et al, (W. Wiese).	....do	879	Jan. 31, 1865	
Mar. 25, 1862	Jos. Seligman et al	Redfield	726		Z.
	....do	Schell	753	May 27, 1865	
Apr. 8, 1862	I. Stuart et al	Redfield	757	Jan. 27, 1877	
Apr. 10, 1862	I. I. Osborn et al	....do	765	Jan. 20, 1865	
June 13, 1862	L. O. Wilson et al	....do	788	Apr. 8, 1863	

Suits in the charges and commissions cases in New York, &c.—Continued.

25.—*Verdicts of January* 6, 1863—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
June 13, 1862	Thomas Monroe et al.....	Redfield	790	Jan. 21, 1865	
Apr. 8, 1862	Joseph Fisher et al.....	....do	755	June 10, 1870	
Apr. 8, 1862	Samuel L. Bush et al	....do	761	Apr. 11, 1865	
June 13, 1862	F. Helmsley et al.....	....do	787	Mar. 17, 1865	
Nov. 6, 1862	George A. Stewart et al	Schell.....	881	Mar. 4, 1864	
June 6, 1862	F. Skinner et al	Redfield	786	Nov. 25, 1864	
June 13, 1862	W. Carter et al	....do	791	Apr. 25, 1864	
June 18, 1862	J. C. Henderson et al.....	....do	796	Mar. 22, 1865	
June 18, 1862	H. G. Ely et al.....	....do	794	Nov. 7, 1864	
June 22, 1862	Thomas Slocomb et al.....	Schell.....	798	June 10, 1863	
June 24, 1862	H. A. Smythe et al.....	....do	800	Feb. 25, 1865	
June 30, 1862	John Hope et al.....	Redfield	809	Mar. 24, 1865	
June 30, 1862	J. Badnall et al.....	....do	804	Mar. 9, 1865	
July 24, 1862	H. M. Avery et al.....	....do	817	Apr. 11, 1865	
July 24, 1862	W. J. Horstman et al.....	....do	818	May 27, 1865	
June 18, 1862	H. G. Ely et al	....do	793	Dec. 3, 1864	
June 30, 1862	J. B. Hall et al.....	....do	803	July 8, 1864	
June 30, 1862	W. M. Bliss et al.....	....do	808	Aug. 25, 1864	
June 30, 1862	J. Hughes et al.....	....do	805	Mar. 31, 1865	
July 24, 1862	Thomas Fielding et al.....	....do	816	May 26, 1864	
July 24, 1862	C. Cleveland et al.....	....do	820	May 3, 1865	
July 24, 1862	Union Adams.....	....do	824	May 3, 1865	
Oct. 25, 1862	L. D. Senat et al	....do	857	Apr. 11, 1865	
Oct. 25, 1862	G. D. Parish et al.....	....do	863	Apr. 19, 1864	
Oct. 25, 1862	I. M. Beebe et al.....	....do	856	Jan. 10, 1865	
Oct. 28, 1862	J. G. Smith et al.....	....do	872	.....	Z.
Oct. 25, 1862	Thomas Drew et al.....	....do	870	May 27, 1865	
Oct. 25, 1862	W. H. Scott et al.....	....do	867	Mar. 9, 1865	
July 24, 1862	D. M. Mellins et al.....	....do	821	Dec. 29, 1864	
Oct. 25, 1862	L. D. Senat et al	....do	858	Apr. 11, 1865	
Oct. 25, 1862	Thomas W. Evans et al.....	....do	862	May 3, 1865	
Oct. 25, 1862	I. M. Beebe et al.....	....do	860	Nov. 17, 1870	
Oct. 25, 1862	S. D. Mills et al	....do	871	Apr. 11, 1865	
Oct. 25, 1862	W. H. Scott et al.....	....do	868	Mar. 9, 1865	
Nov. 25, 1862	G. B. Reise	....do	904	.....	Set aside; see Apr. 10, 1863, verdict.
Oct. 25, 1862	H. P. Journey et al	....do	865	Mar. 9, 1865	
Nov. 6, 1862	G. D. Parish et al	Schell.....	880	Apr. 19, 1864	
Nov. 12, 1862	S. D. Mills et al.....	....do	896	.....	Z.
Nov. 12, 1862	J. B. Hall et al.....	....do	898	July 9, 1864	
Nov. 12, 1862	J. R. Badnall et al	....do	897	Mar. 9, 1865	
Nov. 12, 1862	H. P. Journey et al	....do	900	Mar. 9, 1865	
Nov. 6, 1862	L. D. Senat et al.....	....do	882	Apr. 26, 1865	
Nov. 6, 1862	I. M. Beebe et al.....	....do	878	Jan. 10, 1865	
Nov. 12, 1862	Thomas Fielding et al.....	....do	901	July 8, 1864	
Nov. 7, 1862	William Graydon et al.....	... do	886	May 27, 1865	
Nov. 12, 1862	George B. Reise et al.....	....do	899	Aug. 25, 1864	
Nov. 25, 1862	.....do	Redfield	904	Jan. 18, 1871	
June 13, 1862	M. Maas.....	....do	789	Nov. 13, 1863	
July 31, 1862	H. Schorndorff et al	Schell.....	827	Nov. 13, 1863	

Verdict of February 11, 1863.

Oct. 10, 1861	A. Iselin et al	Schell.....	653	Jan. 19, 1864	

Suits in the charges and commissions cases in New York, &c.—Continued.

26.

Verdicts of April 10, 1863.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Nov. 10, 1862	H. Meyer et al	Schell	893	Oct. 16, 1863	Clerk of court.
Dec. 3, 1862	Robert Spedding et al	do	1035		Z.
Nov. 3, 1862	R. A. Withaus et al	do	877	Mar. 17, 1865	
Dec. 26, 1862	J. B. Johnston et al	Barney	948	Apr. 27, 1863	
Dec. 24, 1862	John Lord et al	Schell	946	July 9, 1864	
Feb. 3, 1862	Charles Morlot et al	do	1006		Cases from E. Pierrepont; see Davenport.
Nov. 10, 1862	Frederick Rusch et al	do	890	Sept. 21, 1865	
Nov. 10, 1862	J. A. Fischer et al	do	888	Sept. 6, 1865	
June 24, 1862	Felix Ceateaux et al	do	799	Dec. 6, 1866	
Feb. 26, 1862	T. N. Dale et al	do	1036	Apr. 11, 1865	
Mar. 31, 1862	D. V. Freeman et al	do	1093	Nov. 11, 1865	
Mar. 13, 1862	J. W. Schulten et al	do	1065	Nov. 13, 1863	
Nov. 10, 1862	C. Auffmordt et al	do	891	Apr. 27, 1870	
Nov. 10, 1862	Joseph Seligman et al	do	889	Aug. 8, 1870	
Mar. 25, 1862	Henry Lewis, jr., et al. (Reopened August 10, 1873.)	do	749	Apr. 26, 1865	
Nov. 10, 1862	E. Warburg et al	do	887	July 31, 1865	
Feb. 26, 1863	A. S. Amson et al	do	1037	Feb. 8, 1867	
Apr. 1, 1863	L. Grossman, surviving partner. (Reopened January 27, 1877.)	do	1095	Jan. 23, 1866	
Mar. 31, 1863	L. H. Simpson, jr., et al	do	1094		G.
June 30, 1862	Frederick Butterfield et al	do	810		Z.
Nov. 20, 1862	George B. Reise	Redfield	904	Oct. 8, 1864	
Nov. 13, 1862	Earl Douglass et al	do	895	Mar. 9, 1865	
June 30, 1862	Frederick Butterfield	do	810	Aug. 4, 1865	
Nov. 10, 1862	Charles Rochette	Schell	892	Feb. 12, 1870	
Dec. 8, 1862	W. Bauendahl et al	do	941	Nov. 5, 1863	
Dec. 22, 1862	M. Maas et al	do	906	Dec. 8, 1863	
Dec. 2, 1862	R. Fischer et al	do	908	July 31, 1865	
Dec. 2, 1862	J. A. Fischer et al	do	915		Z.
Feb. 28, 1863	A. Iselin et al	Redfield	1029	Aug. 4, 1865	
Nov. 22, 1862	T. W. Evans et al	do	905	May 3, 1865	
Dec. 4, 1862	F. Victor et al	do	927	July 8, 1865	

27.

Verdicts of May 9, 1863.

Mar. 3, 1863	L. P. Morton et al	Schell	1030	June 14, 1863	Clerk of court.
Mar. 3, 1863	do	do	1034	Sept. 15, 1863	
Dec. 8, 1862	H. Stursberg et al	do	942	July 8, 1864	
Dec. 4, 1862	G. T. Heye et al	Redfield	930	Mar. 9, 1864	
Dec. 4, 1862	I. H. Hardt	do	929	May 16, 1864	

28.

Verdict of June 8, 1863.

Mar. 21, 1861	E. H. Jacob	Redfield	612	July 28, 1863	Clerk.

Verdict of October 31, 1863.

July 31, 1863	E. H. Jacob et al	Schell	1408	Nov. 12, 1863	Clerk.

Suits in the charges and commissions cases in New York, &c.—Continued.

29.

Verdict of November 9, 1863.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
June 19, 1862	A. Iselin et al	Barney	792	Dec. 20, 1864	Clerk.

30.

Verdicts of November 10, 1863.

Nov. 5, 1863	D. Ogden	Barney	1567		Z. Clerk.
May 1, 1862	James Napier	do	775		Z.
Dec. 2, 1862	A. Moeller et al	Schell	917	Sept. 12, 1865	

31.

Verdicts of November 20, 1863.

Dec. 4, 1862	W. M. Richards et al	Redfield	931	July 21, 1865	Clerk of court.
Dec. 2, 1862	W. M. Gowtry et al	Schell	918	Sept. 3, 1864	
Dec. 2, 1862	A. Dennison et al	do	916	Aug. 22, 1865	
Dec. 4, 1862	H. J. Baker et al	Redfield	933	Jan. 20, 1865	
Dec. 4, 1862	C. L. Recknagel et al	do	935	June 6, 1865	

Verdict of November 30, 1864.

Nov. 18, 1863	H. Moulin	Schell	1617	Oct. 11, 1864	

32.

Verdicts of January 6, 1864.

May 21, 1863	G. Opdyke et al	Schell	1238		Z. Clerk of court.
May 25, 1863	do	Redfield	1240		Z.
June 8, 1863	D. W. Catlin et al	Schell	1361	Dec. 27, 1866	
Apr. 16, 1863	L. H. Simpson, jr., et al	Redfield	1121	Aug. 21, 1870	
June 20, 1863	C. Le Boutillen et al	do	1377	Feb. 10, 1870	
Apr. 16, 1863	L. Grossman, surviving partner. (Reopened August 13, 1873.)	do	1122	Dec. 8, 1865	
June 20, 1863	V. Therion et al. (Reopened August 13, 1873.)	do	1375	Mar. 9, 1865	
June 19, 1863	do	do	1381	Apr. 19, 1864	
June 19, 1863	F. Tomes et al	do	1385	Feb. 10, 1870	
June 8, 1863	C. Le Boutillen et al	do	1360	Feb. 10, 1870	
Feb. 3, 1863	J. C. Kilgour et al	do	1005	Oct. 7, 1870	
May 29, 1863	C. Dord et al. (Reopened August 13, 1873.)	do	1236	Oct. 24, 1864	
June 2, 1863	C. F. Dambman et al. (Reopened June 21, 1871.)	do	1262	Dec. 29, 1864	
June 8, 1863	Thomas Hill et al	Schell	1362	Feb. 10, 1870	
June 20, 1863	F. Tomes et al	Redfield	1379	Feb. 10, 1870	
June 20, 1863	W. N. Woodcock et al	do	1376	Feb. 23, 1870	
June 20, 1863	do	Schell	1382	Feb. 10, 1870	
May 21, 1863	S. Crookes	do	1235		Z.
May 26, 1863	J. A. Henderson et al	do	1234	Mar. 4, 1864	
June 19, 1863	Richard Makin et al	do	1384	Mar. 3, 1870	
June 19, 1863	M. K. Jessup, surviving partner.	do	1383		Z.

Suits in the charges and commissions cases in New York, &c.—Continued.

33.

Verdict of January 11, 1864.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Oct. 25, 1860	P. A. H. Renaulct et al. (Reopened March 7, 1877.)	Redfield	566	Feb. 22, 1864	Clerk.

34.

Verdicts of February 26, 1864.

June 30, 1863	S. Crooks	Redfield	1378	Nov. 10, 1864	Clerk of court.
June 12, 1863	C. B. Raymond et al.....	....do	1364	Apr. 4, 1870	
June 20, 1867	M. K. Jessup.....	....do	1380	.....	Z.
Oct. 28, 1861	G. Martinoux et al	Schell.....	658	.....	Z.
July 20, 1863	J. Seligman et al	....do	1401	.....	Z.
July 21, 1863	J. Seligman et al. (Reopened August 13, 1873.)	Redfield	1402	Nov. 11, 1863	
Feb. 15, 1864	I. S. Grund et al. (Reopened August 13, 1873.)	Schell.....	2029	July 18, 1866	
Feb. 15, 1864	A. Iselm et al. (Reopened June 21, 1871.)	....do	2030	Nov. 11, 1864	See 34½.
Feb. 15, 1864	D. Lane et al	....do	2031	Aug. 4, 1865	
Feb. 15, 1864	H. de Goer et al	....do	2024	Nov. 11, 1865	
Feb. 15, 1864	T. Cochrane et al. (Reopened June 21, 1871.)	....do	2023	Aug. 4, 1865	See 34½.
Feb. 15, 1864	S. Guillaume et al. (Reopened August 13, 1873.)	....do	2026	Nov. 10, 1865	
Feb. 15, 1864	C. Payen et al. (Reopened August 13, 1873.)	....do	2033	Dec. 3, 1864	
Feb. 15, 1864	C. E. Busdorff et al. (Reopened June 21, 1871.)	....do	2020	July 21, 1865	See 34½
Feb. 15, 1864	R. C. Greenleaf et al.....	....do	2027	Mar. 31, 1870	
Feb. 15, 1864	V. Fauche et al.....	....do	2025	Dec. 3, 1864	
Feb. 15, 1864	George Christ et al.....	....do	2022	Nov. 18, 1865	
Feb. 15, 1864	L. Curtis et al.....	....do	2021	July 21, 1865	
Feb. 15, 1864	C. Gignoux et al	....do	2028	Dec. 3, 1864	
Feb. 15, 1864	W. Loeschigk et al.....	....do	2032	Dec. 9, 1864	
Jan. 30, 1864	F. W. Reiner et al	....do	2019	Apr. 12, 1870	
Feb. 25, 1864	T. Passavant et al. (Reopened August 13, 1873.)	....do	2034	Nov. —, 1866	

35.

Verdict of March 14, 1864.

Feb. 27, 1862	George Sampson et al	Schell.....	720	May 24, 1871	

36.

Verdicts of April 19, 1864.

Mar. 10, 1863	A. Aldridge et al.....	Redfield	1040	.....	D. Clerk of court.
Dec. 4, 1863	C. Allgrave et al	....do	1748	Feb. 16, 1877	
Apr. 27, 1863	S. D. Babcock et al	....do	1139	July 7, 1870	
Nov. 14, 1863	F. Butterfield	....do	1594	Aug. 10, 1865	
Nov. 27, 1863	B. F. Babcock et al..	....do	1653	.....	D.
Nov. 27, 1863	W. Brandt et al	....do	1670	Jan. 17, 1877	
Mar. 10, 1863	W. Crow et al.....	....do	1048	Sept. 23, 1865	
Nov. 10, 1863	H. B. Claflin et al	....do	1553	Apr. 19, 1875	
Nov. 12, 1863	W. Carter et al.....	....do	1593	Sept. 21, 1870	

Suits in the charges and commissions cases in New York, &c.—Continued.

36.—*Verdicts of April* 19, 1864—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Dec. 24, 1863	W. Clapp et al	Redfield	1750		D.
Mar. 7, 1862	G. A. Fanshawe et al	do	712	June 16, 1870	
Oct. 21, 1863	H. I. Fairchild et al	do	1539	Oct. 9, 1865	
Dec. 28, 1863	Joseph Fisher et al	do	1853	Dec. 14, 1874	
Mar. 10, 1863	James Houghton et al	do	1058		D.
Dec. 28, 1863	I. B. Hall	do	1854		D.
Apr. 27, 1863	G. H. Kissel et al	do	1127	July 11, 1870	
Apr. 27, 1863	S. McLean et al	do	1145	June 21, 1870	
Dec. 4, 1863	L. P. Morton et al	do	1756		D.
Feb. 6, 1863	J. M. Strong et al	do	1014	Oct. 18, 1870	
May 15, 1863	John Sykes, jr	do	1227		
Nov. 2, 1863	William Sturgis jr., et al	do	1554	Jan. 25, 1877	
Nov. 27, 1863	F. Skinner et al	do	1668		D.
Dec. 4, 1863	T. Slocomb et al	do	1759	Dec. 14, 1877	
Jan. 6, 1864	H. Stursberg et al	do	1870	Nov. 13, 1876	
Jan. 30, 1862	W. Watson et al	do	812	Nov. 21, 1866	
Dec. 4, 1863	L. O. Wilson et al	do	1762	Aug. 22 1865	
Apr. 27, 1863	W. C. Allen et al	do	1132	Sept. 28, 1865	
Nov. 2, 1863	A. Arnold et al	do	1556	Nov. 18, 1865	
Dec. 19, 1863	E. Armstrong et al	do	1819		D.
Dec. 19, 1863	H. M. Avery et al	do	1820		D.
Dec. 14, 1862	H. McBartle et al	do	926		D.
Apr. 27, 1863	Richard Bell et al	do	1165	Feb. 5, 1877	
Nov. 14, 1863	R. McButt et al	do	1595	Aug. 23, 1870	
Dec. 19, 1863	W. M. Bliss et al	do	1821	Jan. 25, 1877	
Dec. 19, 1863	I. Badnall et al	do	1822		D.
Feb. 13, 1863	W. D. Cromwell et al	do	1020	Dec. 1, 1876	
Mar. 10, 1863	F. Fickey et al	do	1049		D.
Apr. 27, 1863	Samuel Graydon et al	do	1162	Aug. 23, 1870	
Nov. 12, 1863	A. Gihon et al	do	1592	Jan. 25, 1877	
Feb. 5, 1863	M. A. Howell et al	do	1009		D.
Feb. 23, 1863	W. C. Haggerty et al	do	1015		D.
Apr. 27, 1863	Samuel Holmes et al	do	1130		D.
Dec. 5, 1862	W. H. Lee et al	do	940	Dec. 9, 1870	
Mar. 10, 1863	D. Lamb et al	do	1061		D.
Jan. 6, 1864	N. Loder et al	do	1869		D.
Feb. 20, 1863	C. W. Moore et al	do	1016	Sept. 15, 1865	
Mar. 10, 1863	S. Milliken et al	do	1042		D.
Mar. 10, 1863	J. A. Murphy et al	do	1053		D.
Mar. 14, 1863	D. M. Melliss et al	Redfield	1797		D.
Feb. 27, 1863	Charles Andre et al	do	1019		D.
Feb. 27, 1863	James Acker et al	do	1017		D.
May 15, 1863	James Albro et al	do	1225		D.
Nov. 9, 1863	D. S. Arnold et al	do	1574		D.
Dec. 4, 1863	C. F. Blake et al	do	1749		D.
July 24, 1862	Joseph Connah et al	do	823	Nov. 29, 1870	
Apr. 27, 1863	E. W. Bancroft et al	do	1133		D.
Feb. 23, 1863	E. Cock et al	do	1024		D.
May 15, 1863	C. E. Claghorn et al	do	1230		D.
Nov. 9, 1863	J. G. Crane et al	do	1573		D.
Dec. 4, 1863	A. S. Crane et al	do	1751		D.
Apr. 27, 1863	Peter Donald et al	do	1166	Nov. 13, 1876	
Dec. 28, 1863	T. Drew et al	do	1851	Jan. 27, 1877	
Feb. 6, 1863	A. F. Edgerton et al	do	1012		D.
Mar. 10, 1863	James Elliott et al	do	1057		D.
Dec. 28, 1863	Thomas W. Evans et al	do	1852		D.
Mar. 10, 1863	A. Fassitt et al	do	1052		D.
Mar. 10, 1863	C. C. Goodrich et al	do	1060		D.
Nov. 20, 1863	J. S. Gillespie et al	do	1612		D.
Apr. 27, 1863	F. M. Jones et al	do	1136		D.
Dec. 4, 1863	George Johnson et al	do	1752		D.
Nov. 27, 1863	E. E. Morgan et al	do	1663		D.
Dec. 4, 1863	John Morrison et al	do	1754		D.
Dec. 4, 1863	William Morrison et al	do	1755		D.
Apr. 27, 1863	John Nicholson	do	1159		D.
Dec. 4, 1863	F. T. Peet et al	do	1759		D.
Mar. 10, 1863	J. M. P. Price et al	do	1046		D.
Mar. 10, 1863	A. Plimpton et al	do	1054		D.
Nov. 21, 1863	T. Paton et al	do	1608		D.

Suits in the charges and commissions cases in New York, &c.—Continued.

36.—*Verdict of April* 19, 1864—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Feb. 23, 1863	F. T. Peet et al	Redfield	1021		D.
May 15, 1863	S. W. Roop et al	do	1229		D.
Feb. 6, 1863	H. F. Spaulding et al	do	1011	July 11, 1870	
Feb. 25, 1863	Charles Smith et al	do	1027		D.
Mar. 10, 1863	J. Schaffner et al	do	1045		D.
Mar. 10, 1863	C. E. Sill et al	do	1059		D.
Apr. 27, 1863	Robert Slimmons et al	do	1167	Feb. 8, 1871	
May 15, 1863	J. Seigman et al	do	1228	Apr. 19, 1875	
Apr. 27, 1863	S. O'Brien et al	do	1146		D.
Dec. 4, 1863	A. Smith et al	do	1758		D.
Mar. 10, 1863	Joel Thomas et al	do	1063		D.
Mar. 10, 1863	William Thompson et al	do	1064		D.
Dec. 4, 1863	G. Tingle et al	do	1761		D.
Dec. 4, 1863	W. Taylor et al	do	1760		D.
Nov. 2, 1863	J. A. Ubsdell et al	do	1555	Oct. 25, 1876	
Mar. 10, 1863	S. Wilder et al	do	1056		D.
Mar. 10, 1863	I. H. Woods et al	do	1158		D.
Nov. 27, 1863	W. S. Wilson et al	do	1656	Dec. 1, 1876	

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Verdicts of April 21, 1864.

June 30, 1862	I. Benkard et al	Redfield	811	Oct. 20, 1865	
Apr. 27, 1863	H. Ackerman et al	do	1147		D.
Apr. 28, 1863	W. Bauendahl et al	do	1169	Nov. 25, 1865	
Apr. 27, 1863	F. Duysters et al	do	1148	Nov. 28, 1865	
Apr. 27, 1863	H. F. Heuschen et al	do	1144		D.
Nov. 14, 1863	A. F. Heye et al	do	1598	Oct. 8, 1870	
Nov. 27, 1863	I. H. Hardt et al	do	1672	Nov. 13, 1876	
Dec. 4, 1862	Henry Levy et al	do	934		D.
Apr. 27, 1863	E. Lamarche et al	do	1137	Dec. 14, 1874	
Nov. 9, 1863	C. Maletta et al	do	1572		D.
Nov. 9, 1863	M. Maas et al	do	1753		D.
May 15, 1863	T. Naef et al	do	1226	Nov. 24, 1876	
Mar. 10, 1863	M. Oppenheimer et al	do	1044		D.
Mar. 10, 1863	B. Pike et al	do	1039		D.
Mar. 10, 1863	A. H. Rosenheim	do	1062		D.
Apr. 27, 1863	D. L. Shank et al	do	1138		D.
Apr. 27, 1863	F. S. Schlesinger et al	do	1156		D.
Apr. 27, 1863	F. Schaender et al	do	1163		D.
Oct. 31, 1863	H. Schorndorff et al	do	1552	Nov. 28, 1865	
Nov. 9, 1863	R. A. Schnabel et al	do	1577	Aug. 22, 1865	
Dec. 4, 1862	M. Thalmesinger et al	do	939		D.
May 15, 1863	I. Valerio et al	do	1233		D.
Nov. 27, 1863	F. Vietor et al	do	1667	Nov. 13, 1876	
Apr. 27, 1863	G. Wolfers et al	do	1160	Sept. 20, 1870	
Nov. 27, 1863	R. A. Withaus et al	do	1666	Jan. 7, 1875	
Apr. 27, 1863	W. Auffermann et al	do	1142		D.
Apr. 28, 1863	G. Hessenburg et al	do	1168	Nov. 25, 1865	
Nov. 22, 1863	L. E. Amswich et al	do	1650		D.
Dec. 19, 1863	Union Adams et al	do	1818		D.
Apr. 27, 1863	G. F. Bechtel et al	do	1155	Aug. 23, 1870	
Apr. 27, 1863	C. J. Born et al	do	1150		D.
Apr. 27, 1863	E. Bech et al	po	1152	Sept. 20, 1870	
Nov. 27, 1863	C. E. Borsdorff et al	do	1665		D.
Nov. 27, 1863	I. Burgess et al	do	1671		D.
Apr. 27, 1863	F. Cottenett et al	do	1128	Aug. 5, 1865	
June 1, 1863	Louis Cramer et al	do	1151		D.
Feb. 23, 1863	F. de Barry et al	do	1025	July 20, 1870	
Nov. 27, 1863	R. L. Dawson et al	do	1651		D.
Mar. 10, 1863	R. Foulds, jr., et al	do	1050		D.
Mar. 10, 1863	Ed. Forte et al	do	1041		D.
Apr. 27, 1863	H. Gudewill et al	do	1143		D.
Apr. 27, 1863	N. Guterman et al	do	1141		D.
Feb. 23, 1863	J. F. Heinrich et al	do	1022		D.

Suits in the charges and commissions cases in New York, &c.—Continued.

37.—*Verdicts of April* 21, 1864—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Mar. 10, 1863	H. Holthawson et al	Redfield	1047		D.
Apr. 27, 1863	G. W. Hennings et al	do	1164		D.
Dec. 28, 1863	I. C. Henderson et al	do	1855		D.
Oct. 30, 1863	A. Iselin et al	do	1551		Z.
Feb. 23, 1863	Thomas Knath et al	do	1023		D.
Apr. 27, 1863	E. Kaupe et al	do	1149		D.
Apr. 27, 1863	C. Keutgen et al	do	1157		D.
Dec. 2, 1862	M. Lienan et al	do	937	July 20, 1870	
Dec. 4, 1862	A. Ladewig et al	do	932	Apr. 19, 1875	
Nov. 9, 1863	William Loeschigh et al	do	1575	Dec. 20, 1876	
Mar. 10, 1863	William Moser et al	do	1055	Aug. 22, 1865	
Apr. 27, 1863	M. H. Maas et al	do	1140		D.
Apr. 27, 1863	L. Marx et al	do	1131		D.
Nov. 23, 1863	B. A. Mumford et al	do	1239		D.
Apr. 27, 1863	A. Noel et al	do	1129	Aug. 19, 1870	
Mar. 10, 1863	A. Plunkett et al	do	1043	Aug. 19, 1870	
Nov. 9, 1863	E. Poiser et al	do	1576		D.
Nov. 23, 1863	S. M. Peyser et al	do	1615	Jan. 25, 1877	
Apr. 27, 1863	G. A. Poffe et al	do	1154		D.
Nov. 18, 1863	G. F. W. Bartels et al	do	1596		D.
Nov. 27, 1863	F. W. Reiner et al	do	1664		D.
Feb. 20, 1863	Charles E. Schmieder et al	do	1018		D.
Apr. 27, 1863	A. Scheitlin et al	do	1161		D.
Apr. 27, 1863	Thomas Stehn et al	do	1153		D.

38.

Verdicts of May 27, 1864.

Feb. 26, 1864	John Syz et al. (reopened June 21, 1871).	Schell	*2307	Apr. 21, 1868	
Feb. 22, 1864	E. B. Strange et al. (reopened August 13, 1873).	do	2265	Dec. 7, 1866	
Mar. 31, 1864	William Loeschigh et al. (reopened Sept. 30, 1870).	do	2455	Dec. 3, 1864 Sept. 29, 1870	
Mar. 4, 1864	F. Schuchardt et al	do	2333	July 16, 1867	
Mar. 14, 1864	B. F. Babcock et al	do	2363	Apr. 21, 1868	
Mar. 14, 1864	J. W. Schutlen et al. (reopened June 21, 1871).	do	*2364	Dec. 6, 1866	
Mar. 21, 1864	H. Benda et al	do	2366	July 3, 1867	
Mar. 21, 1864	E. Kaupe et al	do	2367	Aug. 18, 1873	Settled with 1541.
Mar. 31, 1864	A. Wetter et al	do	2454	June 12, 1873	
Apr. 10, 1863	M. H. Cashman et al	do	1453		Z.
Nov. 9, 1863	V. Barsalon et al	do	1569	July 3, 1867	
Mar. 4, 1861	George Christ et al	do	606		Z.
Feb. 15, 1864	C. E. Borsdorff et al	do	2020		Reopened and referred to E. Pierrepont, June, 1871; see verdict Feb. 26, 1864.
Feb. 22, 1864	L. Maillard et al	Barney	2259	July 2, 1866	
Jan. 30, 1864	P. A. H. Renauld et al	do	2018	Dec. 28, 1865	
Feb. 22, 1864	T. Cochrane et al	do	2245	Aug. 31, 1865	
Feb. 22, 1864	L. Curtis et al	do	2021		Z.
Feb. 22, 1864	C. Gignoux et al	do	2250	Dec. 3, 1864	
Feb. 15, 1864	L. Guillaume et al	do	2251	Nov. 2, 1866	
Feb. 18, 1864	William Loeschigh et al	do	2216	July 9, 1870	
	M. H. Cashman et al	Redfield	1455		Z.
1864	William Loeschigh et al. (reopened Sept. 30, 1870).	Schell	2615	{July 21, 1865 {Sept. 29, 1870	
Feb. 22, 1864	George Christ et al	Barney	2246	May 28, 1870	
Feb. 22, 1864	R. C. Greenleaf et al	do	2252	Apr. 16, 1870	
Feb. 22, 1864	J. S. Grand et al	do	2253	Nov. 21, 1863	
Feb. 15, 1864	David Lane et al	Schell	2031	Aug. 4, 1865	

Suits in the charges and commissions cases in New York, &c.—Continued.

38.—*Verdicts of May* 27, 1864—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Feb. 22, 1864	W. Lattimer et al	Barney	2257	Mar. 13, 1865	
Feb. 15, 1864	H. de Goer et al	Schell	2248	July 3, 1867	
Feb. 22, 1864	C. F. Dambman et al	Barney	2249	Jan. 10, 1865	
Feb. 22, 1864	T. Passavant et al	....do	2260	Oct. 27, 1865	
Feb. 22, 1864	C. Payen et al	....do	2261	Mar. 9, 1865	
Feb. 22, 1864	A. Iselin et al	....do	2254		Z.
Feb. 22, 1864	H. Lewis et al	....do	2255	Nov. 21, 1866	
Feb. 22, 1864	E. B. Strange et al. (reopened August 13, 1873).	....do	2262	Sept. 21, 1865	
Feb. 22, 1864	J. Seligman et al	....do	2263	Sept. 6, 1865	
Feb. 22, 1864	J. Syz et al	....do	2264	Oct. 20, 1865	
Feb. 22, 1864	D. Lane	....do	2258	Oct. 3, 1865	

Referred by plaintiff's attorney to collector October 29, 1865.

Nov. 21, 1863	A. Arnold et al	Schell	1560	Nov. 18, 1870	

Verdict December 6, 1866, *referred to K. G. White, clerk.*

June 22, 1862	J. Beukard et al	Schell	801	Jan. 4, 1873	

Verdict February 20, 1867.

Apr. 20, 1863	S. Crooks et al	Maxwell	1123	Nov. 18, 1870	
	W. Loeschigh et al. (reopened Sept. 30, 1870).	Schell	2455	Sept. 29, 1870	
	.....do	....do	2615	Sept. 29, 1870	

39.

Verdicts December 29, 1870, *referred to the collector.*

	W. H. Hartmann et al	Schell	1937	Dec. 1, 1876	
	William M. Bliss et al	....do	2157	July 14, 1874	
	Robert Lamb et al	....do	2069	July 27, 1874	
Dec. 21, 1863	H. M. Avery et al	....do	1829	July 27, 1874	
Nov. 18, 1863	W. Banendahl et al	....do	1622	Mar. 10, 1871	
Nov. 27, 1863	J. C. Henderson et al	....do	1632	July 27, 1874	
Dec. 4, 1863	F. Skinner et al	....do	1739	July 27, 1874	
Dec. 8, 1862	T. F. Noble et al	....do	943	July 14, 1874	
May 11, 1863	L. O. Wilson et al	....do	1224	Mar. 4, 1874	
Jan. 23, 1864	William Graydon et al	....do	2038		D.
Jan. 23, 1864	C. L. Sharpless et al	....do	1994	Aug. 11, 1874	
Jan. 23, 1864	J. Duncan	....do	2054	July 14, 1874	
Jan. 23, 1864	C. L. Recknagel et al	....do	1981	Mar. 20, 1874	
Apr. 11, 1863	A. Plunkett	....do	1107	June 20, 1872	
Apr. 11, 1863	G. W. Platt et al	....do	1976	July 16, 1874	
Jan. 19, 1864	J. F. Osborn et al	....do	1973		D.
Jan. 19, 1864	W. H. Scott et al	....do	1989	July 27, 1874	
Jan. 19, 1864	Thomas Drew et al	....do	1927	July 16, 1874	
Jan. 19, 1864	A. L. Rice et al	....do	1978	Mar. 4, 1874	
Nov. 11, 1863	D. M. Mellus et al	....do	1624	June 18, 1872	
Nov. 18, 1863	W. Carter et al	....do	1618		D.
Dec. 5, 1863	C. W. Moore et al	....do	1809	Feb. 12, 1874	
Jan. 31, 1863	F. Butterfield	....do	992	Mar. 22, 1871	

Suits in the charges and commissions cases in New York, &c.—Continued.

39.—*Verdicts of December* 29, 1870—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
	D. W. Catlin et al	Schell	2062	Nov. 30, 1874	
Nov. 18, 1863	F. Butterfield et al	do	1625	Mar. 12, 1872	
Dec. 21, 1863	W. C. Allen et al	do	1828	Apr. 5, 1871	
May 3, 1863	R. D. Lathrop et al	do	1032	July 27, 1874	
May 3, 1863	R. P. Bruff et al	do	2044	July 16, 1874	
May 3, 1863	William M. Richards et al	do	1982	Feb. 18, 1874	
May 3, 1863	Aug. Noel et al	do	1949	Dec. 14, 1874	
Dec. 2, 1862	F. Berley et al	do	912	June 16, 1871	
Nov. 18, 1863	William Watson et al	do	1620	May 6, 1871	
Oct. 22, 1863	H. J. Fairchild et al	do	1538	Aug. 19, 1871	
Nov. 4, 1863	A. Iselin et al	do	1564		Z.
Nov. 4, 1863	M. Lienan et al	do	1943	Mar. 4, 1873	
Nov. 4, 1863	S. McLean et al	do	1945	Oct. 14, 1871	
Dec. 4, 1863	G. H. Kessil et al	do	1732	Apr. 15, 1872	
Dec. 4, 1863	H. Stursberg et al	do	1988	July 26, 1872	
Oct. 22, 1863	J. H. Hardt et al	do	1533	Oct. 17, 1872	
Dec. 4, 1863	F. Vietor et al	do	1743	May 12, 1872	
Dec. 4, 1863	G. F. Heye et al	do	1535	July 16, 1874	
Dec. 4, 1863	H. J. Baker et al	do	1642	July 16, 1874	
Dec. 4, 1863	E. Kernys & W. Ross	do	723	Apr. 15, 1872	
Dec. 4, 1863	E. Kernys & Sampson	do	722	Apr. 15, 1872	
Dec. 4, 1863	E. S. Sherman et al	do	1647	Dec. 18, 1876	
Dec. 4, 1863	G. G. Sampson et al	do	719		Z.
Dec. 4, 1863	S. W. Sears et al	do	2297	July 14, 1874	
Dec. 4, 1863	A. Gihon et al	do	1223	Aug. 4, 1871	
Dec. 4, 1863	H. Schorndorff et al	do	1815	July 16, 1874	
Dec. 4, 1863	R. McButt et al	do	1619	July 14, 1874	
Dec. 4, 1863	Jos. Fisher et al	do	1933	Aug. 27, 1872	
Dec. 4, 1863	F. A. Spies et al	do	2177	July 16, 1874	
Dec. 4, 1863	R. A. Withaus et al	do	1745		D.
Dec. 4, 1863	E. Greff et al	do	1544	July 14, 1874	
Dec. 4, 1863	S. Graydon et al	do	1557	Oct. 12, 1871	
Dec. 4, 1863	H. Hennequin et al	do	2892	July 16, 1874	
Dec. 4, 1863	E. Kaupe et al	do	1541		May 27, 1864, verdict; settled with 2367.
Dec. 4, 1863	Fred. Hoose et al	do	2168		Discontinued Aug. 6, 1873.
Dec. 4, 1863	Fred. Hoose et al	do	2166		Do.
Dec. 4, 1863	S. Strahlheim et al	do	1740		Z.
Dec. 4, 1863	Ferd. Rusch et al	do	993	Aug. 21, 1871	
Dec. 4, 1863	Jas. Linder et al	do	1579	Feb. 16, 1872	
Dec. 4, 1863	A. Lachaise et al	do	1806	Nov. 11, 1871	
Dec. 4, 1863	C. E. Borsdorff et al	do	1720		Z.
Dec. 4, 1863	C. H. P. Babcock et al	do	1558	Sept. 20, 1871	
Dec. 4, 1863	G. A. Fanshawe et al	do	721	Nov. 11, 1871	
Dec. 4, 1863	H. B. Claflin et al	do	1563	Aug. 21, 1874	
Dec. 4, 1863	G. H. Stuart et al	do	1990	Mar. 1, 1873	
Dec. 4, 1863	Robert Slimmins et al	do	2176	Nov. 18, 1871	
Dec. 4, 1863	C. Abernathy et al	do	1561	July 14, 1874	
Dec. 4, 1863	John Sykes, jr	do	1984	Jan. 20, 1872	
Dec. 4, 1863	Thomas Slocum et al	do	1814	Dec. 21, 1872	
Dec. 4, 1863	J. A. Fischer et al	Barney	2199	Jan. 6, 1873	
Dec. 4, 1863	E. Warburg et al	do	2241	June 20, 1872	
Dec. 4, 1863	F. Butterfield et al	do	2192	Mar. 25, 1872	
Dec. 4, 1863	F. W. Reiner et al	do	2226	June 18, 1872	
Dec. 4, 1863	J. Benkard et al	do	1605	Sept. 18, 1871	
Dec. 4, 1863	William Watson et al	do	2240	Nov. 14, 1871	
Dec. 4, 1863	J. Lehman et al	do	2215	June 5, 1871	
Dec. 4, 1863	A. Iselin et al	do	2213		Discontinued June 18, 1873.
Dec. 4, 1863	H. Henequin et al	do	2211	July 18, 1871	
Dec. 4, 1863	E. Kaupe et al	do	2214	June 1, 1871	
Dec. 4, 1863	F. Hoose et al	do	2112		Discontinued June 18, 1873.
Dec. 4, 1863	J. Linder et al	do	2217	June 24, 1871	
Dec. 4, 1863	E. Caron et al	do	2194	Dec. 12, 1874	
Dec. 4, 1863	J. Sykes, jr	do	2233	Jan. 20, 1872	
Dec. 4, 1863	F. Vietor et al	do	2238	Oct. 17, 1872	
Dec. 4, 1863	G. Wolfers et al	do	2239	Apr. 19, 1875	

Suits in the charges and commissions cases in New York, &c.—Continued.

39.—*Verdicts of December* 29, 1870—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Aug. 2, 1865	G. H. Withaus et al	Barney	2894		D.
Aug. 2, 1865	Jos. Fisher et al	....do	2202	July 20, 1872	
Aug. 2, 1865	A. Arnold et al	....do	2182	Apr. 26, 1871	
Aug. 2, 1865	C. A. Auffendt et al	....do	2181	Sept. 11, 1872	
Feb. 18, 1864	William Brunner et al	....do	2188		Consolidated with No. 390; paid November 6, 1873.
Feb. 18, 1864	W. Bauendahl et al	....do	2186	June 7, 1872	
Feb. 18, 1864	C. E. Borsdorff et al	....do	2187	Aug. 19, 1871	
Feb. 18, 1864	W. Brand et al	....do	2189	Nov. 27, 1873	
Feb. 18, 1864	Ed. Kerny's et al	Redfield	713	Apr. 15, 1872	
Feb. 18, 1864	E. S. Sherman et al	....do	1616	Dec. 18, 1876	
Feb. 18, 1864	G. G. Sampson et al	....do	709	July 18, 1871	
July 31, 1863	C. A. Abernathy et al	....do	991		D.

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References, by stipulation, of pending cases, April 22, 1871, *to E. Pierrepont.*

Apr. 26, 1864	C. F. Van Blankensteyn et al	Schell	2544	Sept. 12, 1873	
Jan. 30, 1864	F. Berley et al	....do	2191		Davenport, Dec. 18, 1876.
Jan. 30, 1865	C. E. Habicht et al	....do	2920	Nov. 23, 1872	
Jan. 30, 1865	L. Heidenheimer et al	...do	2929	July 5, 1872	
Jan. 30, 1865	M. L. Hallowell et al	....do	2919	July 5, 1872	
Jan. 30, 1865	F. M. Peyser et al	....do	2930	Oct. 24, 1874	
Jan. 30, 1865	L. Rosenfield et al	....do	2932	July 5, 1872	
Jan. 30, 1865	J. Rosenthal et al	....do	2928	July 5, 1872	
Jan. 30, 1865	L. Strahlheim et al	....do	2918	Aug. 13, 1873	
Jan. 30, 1865	J. Steiner et al	....do	2925	July 5, 1872	
Feb. 18, 1865	C. F. Van Blankensteyn et al	....do	2927	May 9, 1874	
Aug. 28, 1865	J. M. Davis et al	...do	2788	Aug. 22, 1872	
Oct. 20, 1865	Charles Vyse et al	....do	2915	July 5, 1872	
May 20, 1864	F. A. Spies et al	....do	2622	Apr. 6, 1874	
Feb. 8, 1868	B. Andrae et al	Barney	310	Nov. 16, 1876	
Feb. 5, 1868	F. Berley et al	....do	332		Davenport, Dec. 1876.
Feb. 5, 1868	E. Blackburn et al	....do	330		Do.
Feb. 5, 1868	E. Bredt et al	....do	331	Nov. 16, 1876	
Feb. 5, 1868	T. N. Dale et al	....do	339	Oct. 14, 1876	
Feb. 5, 1868	J. M. Davies et al	....do	328	Jan. 4, 1873	
Feb. 5, 1868	C. Dard et al	....do	327	Apr. 22, 1873	
Feb. 5, 1868	A. H. Hildick et al	....do	326		Do.
Feb. 5, 1868	P. S. Hughes et al	....do	325	Nov. 16, 1876	
Feb. 5, 1868	I. Islen et al	....do	324		Davenport.
Feb. 5, 1868	E. Kaupe et al	....do	323		Do.
Feb. 5, 1868	C. Le Boutillier et al	....do	322		Do.
Feb. 5, 1868	J. Lehmair et al	....do	321	Aug. 18, 1873	
Feb. 5, 1868	C. J. Morlot et al	....do	320	Dec. 2, 1872	
Feb. 5, 1868	A. Rolker et al	....do	319		Do.
Feb. 5, 1868	J. Rosenthal et al	....do	318		Do.
Feb. 5, 1868	A. Schneewind et al	....do	317	June 2, 1873	
Feb. 5, 1868	F. Schuchardt et al	....do	316		Do.
Feb. 5, 1868	M. A. Sorchen et al	....do	315	Apr. 30, 1874	
Feb. 5, 1868	I. Tomes et al	....do	314		Do.
Feb. 5, 1868	H. Vyse et al	... do	313	Dec. 13, 1876	
Feb. 5, 1868	G. H. Withaus et al	....do	312	July 14, 1874	
Feb. 5, 1868	W. N. Woodcock et al	....do	311	Jan. 4, 1873	
Apr. 16, 1868	A. S. Amson et al	....do	392		Do.
Apr. 16, 1868	W. Brunner et al	....do	390	Nov. 6, 1873	
Apr. 17, 1868	A. Friedman et al	....do	406		Do.
Apr. 16, 1868	L. Heidenheimer et al	....do	395	Nov. 24, 1876	
Apr. 16, 1868	L. Maillard et al	....do	397	Aug. 15, 1874	
Apr. 16, 1868	F. Rusch et al	....do	403	Aug. 19, 1872	
Apr. 7, 1868	S. W. Waterbury et al	....do	407		Do.

Suits in the charges and commissions cases in New York, &c.—Continued.

40.—*References, by stipulation, &c.*—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Feb. 22, 1864	L. Curtis et al	Barney	2247	July 14, 1874	Davenport.
Apr. 16, 1868	I. B. Merrick et al	....do	398		
Apr. 16, 1868	E. A. Oelrichs et al	....do	399		Do.
Apr. 16, 1868	L. Rosenfield et al	....do	402	Dec. 13, 1876	
May 16, 1864	C. F. Van Blankensteyn et al	....do	2620	June 28, 1873	
Apr. 6, 1868	Jas. Tinker et al	....do	2355	Dec. 13, 1876	
May 2, 1864	A. Iselin et al	....do	2621	June 28, 1873	
Mar. 10, 1864	F. R. Fowler et al	....do	2361	Apr. 18, 1873	
July 21, 1863	W. Watt et al	Redfield	1403	Jan. 13, 1873	
June 17, 1864	Toledo, Logansport and B. Railroad.	Schell	2766	July 5, 1872	

41.

June 21, 1871.—*Former verdicts vacated; order of reference revoked and referred to E. Pierrepont.*

Jan. 6, 1864	C. F. Dambman et al	Schell	1262	June 24, 1873	
Feb. 26, 1864	A. Iselin et al	....do	2030	June 28, 1873	
Feb. 25, 1864	C. E. Bardorff et al	....do	2020	June 22, 1873	
Feb. 26, 1864	John Iyz et al	....do	2307		Davenport, 1876.
Feb. 26, 1864	Thos. Cochrane et al	....do	2023	June 24, 1873	
Feb. 27, 1864	E. Kaupe et al	....do	2367	Aug. 18, 1873	
Mar. 14, 1864	J. W. Schulten et al	....do	2364	June 18, 1873	

43.

Verdicts of March 30, 1872, *in connection with December* 29, 1870. *Verdicts relating to three cases.*

E. Kemys et al	Schell	722	Apr. 15, 1872	
E. Kemys et al	....do	723	Apr. 15, 1872	
E. Kemys et al	Redfield	713	Apr. 15, 1872	

44.

Pending cases; by stipulation referred to E. Pierrepont, April 19, 1872.

Nov. 23, 1863	R. Irvin et al	Redfield	1613	Apr. 8, 1873	
Nov. 23, 1863	W. Outhout et al	....do	1614	Mar. 3, 1874	
Nov. 27, 1863	A. R. Wetmore et al	....do	1649	Oct. 8, 1874	
Nov. 27, 1863	Henry Stokes et al	....do	1661	Dec. 12, 1874	
Feb. 24, 1862	J. S. Holden et al	....do	822		Davenport.
Nov. 27, 1863	C. Congreve et al	....do	1662	Apr. 18, 1874	
Nov. 27, 1863	The. Dehon et al	....do	1665		Do.
Nov. 27, 1863	T. Eggleston et al	....do	1652	Apr. 19, 1875	
Dec. 4, 1863	J. H. Abeel et al	....do	1746		Do.
Feb. 6, 1863	L. J. Levy et al	....do	1010		Do.
Dec. 4, 1862	G. P. Naylor et al	....do	928	Nov. 7, 1873	
Nov. 27, 1863	Wm. Boyd, Angus Boyd et al	....do	1660	Jan. 12, 1873	
Nov. 27, 1863	J. Ellison et al	....do	1659		Do.
July 8, 1863	W. H. Houtman et al	....do	1394		Do.
Nov. 21, 1863	J. W. Schmidt et al	....do	1610		Do.
Nov. 27, 1863	E. C. Litchfield et al	....do	1654		Do.
Nov. 21, 1863	H. L. Pearson et al	....do	1609	Oct. 8, 1874	
Feb. 3, 1863	S. R. Lesher et al	Schell	1004		Do.

Suits in the charges and commissions cases in New York, &c.—Continued.

44.—*Pending cases, by stipulation, &c.*—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Nov. 27, 1863	R. Irvin et al	Schell	1628	Apr. 8, 1873	
Apr. 27, 1863	T. N. Dale et al	Redfield	1134		Davenport.
Dec. 4, 1862	M. S. Whitney et al	do	938		Do.
Dec. 10, 1862	J. Benkard et al	do	850	Jan. 4, 1873	
Nov. 27, 1863	W. Outhout et al	Schell	1645	Mar. 3, 1874	
Nov. 27, 1863	A. R. Wetmore et al	do	1632	Oct. 8, 1874	
Dec. 4, 1863	Henry Stokes et al	do	1737	Dec. 12, 1874	
Dec. 4, 1863	T. Dehon et al	do	1725		Do.
Nov. 27, 1863	J. W. Schmidt et al	do	1639		Do.
Dec. 4, 1863	J. S. Holden et al	do	1730		Do.
Nov. 27, 1863	S. H. Holdane et al	do	1637		Do.
Nov. 27, 1863	G. P. Naylor et al	do	1635	Aug. 5, 1873	
Dec. 4, 1863	C. Congreve et al	do	1734	Apr. 18, 1874	
Nov. 27, 1863	T. Eggleston et al	do	1629	Apr. 19, 1875	
Dec. 5, 1863	J. H. Abeel et al	do	1797		Do.
Feb. 20, 1864	I. Goodband et al	do	2165	Dec. 12, 1874	
Jan. 3, 1863	S. Cochrane et al	do	994		Do.
Nov. 11, 1863	T. N. Dale et al	do	1588		Do.
Dec. 4, 1863	W. Boyd et al	do	1721	Jan. 12, 1873	
Dec. 4, 1863	J. Ellison et al	do	1727		Do.
Dec. 4, 1863	E. C. Litchfield	do	1733		Do.
Nov. 27, 1863	H. L. Pearson et al	do	1640	Oct. 8, 1874	
Dec. 2, 1862	M. S. Whitney et al	do	909		Do.
Oct. 22, 1863	H. Ackerman et al	do	1534	Oct. 8, 1874	
Feb. 2, 1864	J. Grund et al	do	2067		Do.
Dec. 2, 1862	L. A. Friend et al	do	910		Do.
Apr. 6, 1863	R. Foulds, jr., et al	do	1103		Do.
May 11, 1863	W. Fuller et al	do	1221		Do.
Jan. 9, 1864	T. Fielding et al	do	1930	Apr. 19, 1875	
Jan. 9, 1864	R. Fischer et al	do	1931	Mar. 1, 1873	
Dec. 21, 1863	L. E. Amswich et al	do	1825		Do.
Dec. 4, 1863	J. S. Burgess et al	do	1723		Do.
Nov. 11, 1863	D. S. Arnold et al	do	1584		Do.
Dec. 2, 1862	N. Ariel et al	do	925		Do.
Dec. 5, 1863	C. Angrave et al	do	1796		Do.
Dec. 21, 1863	E. Armstrong et al	do	1827		Do.
Dec. 4, 1862	W. Brand et al	do	1722	Dec. 1, 1873	
Nov. 27, 1863	B. F. Babcock et al	do	1630		Do.
Jan. 19, 1864	H. A. Smythe et al	do	1992		Do.
Nov. 18, 1863	G. F. W. Bartels et al	do	1623		Do.
Dec. 4, 1863	E. Bech et al	do	1719		Do.
Dec. 21, 1863	G. J. Bechtel et al	do	1832		Do.
Dec. 3, 1863	J. M. Beebe et al	do	1860		Do.
Nov. 27, 1863	B. A. Mumford et al	do	1631		Do.
Oct. 22, 1863	G. Wolfers et al	do	1536		Do.
Dec. 4, 1863	P. Donald et al	do	1726	Apr. 19, 1875	
Jan. 9, 1864	F. Duysters et al	do	1926		Do.
	James Duncan et al	do			In notice of reference to the collector, this name was stricken out.
Nov. 3, 1863	W. Sturgis, jr., et al	do	1566	Mar. 4, 1874	
Oct. 22, 1863	Jacob Seigman et al	do	1532	Dec. 12, 1874	
Dec. 4, 1863	H. D. Henschew et al	do	1729		Davenport.
Jan. 9, 1864	R. Nicol et al	do	1948	Dec. 12, 1874	
Jan. 9, 1864	J. Houldsworth et al	do	1935		Do.
Dec. 5, 1863	L. P. Morton et al	do	1807	Apr. 18, 1874	
Dec. 5, 1863	do	do	1808	Apr. 18, 1874	
Jan. 9, 1864	J. Naef et al	do	1950	Aug. 24, 1874	
Feb. 26, 1864	E. Douglass et al	do	2306		Do.
Feb. 3, 1863	C. Hardt	do	997	Dec. 12, 1874	
Jan. 9, 1864	E. Lamarche et al	do	1941	May 9, 1884	
Feb. 22, 1864	A. Ladewig et al	do	2136	Dec. 12, 1874	
Feb. 3, 1863	R. Spedding et al	do	1007		Do.
Apr. 6, 1863	L. Sampson et al	do	1110		Do.
Dec. 4, 1863	A. Scheitlin et al	do	1738		Do.
Nov. 4, 1863	D. S. Schanck et al	do	1559		Do.
Apr. 6, 1863	T. F. Noble et al	do	1105		Do.
Nov. 11, 1863	George L. Newell et al	do	1590		Do.

Suits in the charges and commissions cases in New York, &c.—Continued.
44.—*Pending cases, by stipulation, &c.*—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Nov. 27, 1863	L. C. Austin et al	Schell	1644		Davenport.
Dec. 5, 1863	James Acker et al	do	1798	Dec. 12, 1874	
Apr. 6, 1863	William Thompson et al	do	1114		Do.
Nov. 27, 1863	John Trippett et al	do	1646		Do.
Feb. 20, 1864	M. Thalmesinger et al	do	2179		Do.
Dec. 22, 1865	H. F. Spaulding et al	do	2985	Oct. 8, 1874	
Jan. 19, 1864	C. W. Schaffner et al	do	1983	Oct. 8, 1874	
Feb. 2, 1864	H. A. Smythe et al	do	2077		Do.
Feb. 3, 1863	W. S. Toole et al	do	1008		Do.
Dec. 1, 1863	W. D. Cromwell et al	do	1864		Do.
Dec. 2, 1862	C. R. Cargill	do	922		Do.
Apr. 6, 1863	W. P. Crow et al	do	1102		Do.
Jan. 19, 1864	E. Robins et al	do	1979	Aug. 21, 1874	
Feb. 20, 1864	H. G. Ely et al	do	2162		Do.
Nov. 18, 1863	D. A. Linder et al	do	1627		Do.
Jan. 23, 1864	C. Canille et al	do	2052		Do.
Feb. 2, 1864	J. Cheney et al	do	2064		Do.
Dec. 2, 1862	H. Heeneman et al	do	920		Do.
Jan. 19, 1864	L. D. Senat et al	do	1991		Do.
Feb. 23, 1864	M. H. Swift et al	do	2295		Do.
Feb. 23, 1864	J. F. Vogt et al	do	2299		Do.
Dec. 4, 1863	W. S. Wilson et al	do	1744		Do.
Jan. 9, 1864	William Moser	do	1946		Do.
May 11, 1863	N. McSteer et al	do	1211	Aug. 21, 1874	
Feb. 3, 1863	C. J. Morlot et al	do	1006	Aug. 21, 1874	
Feb. 3, 1863	T. L. Boulittier et al	do	998	Aug. 21, 1874	
Nov. 27, 1863	S. M. Peyser et al	do	1636	Aug. 21, 1874	
Feb. 22, 1864	C. F. Van Blankenstizin et al	do	2150	Aug. 21, 1874	
Feb. 18, 1864	E. Faber et al	do	2195	Oct. 24, 1872	
Feb. 18, 1864	A. Peirer et al	do	2225		Do.
Feb. 18, 1864	H. Paster et al	do	2223		Do.
June 20, 1863	J. Seigman et al	Barney	1373	Nov. 24, 1876	
Feb. 18, 1864	T. Slocumb et al	do	2234	Jan. 4, 1873	
Feb. 18, 1864	H. Stursberg et al	do	2227	Oct. 24, 1872	
Feb. 2, 1864	R. Rolker et al	Schell	2074		Davenport.
Feb. 18, 1864	Jo. Fischer et al	Barney	2201	Nov. 12, 1872	
Feb. 18, 1864	H. J. Fairchild et al	do	2200	July 9, 1872	
Feb. 18, 1864	J. A. Fischer et al, (Richard F.)	do	2198	Jan. 4, 1873	
	Henry Fischer et al	do	2197	Mar. 1, 1873	
Feb. 18, 1864	I. H. Hardt, jr., et al	do	2208	May 7, 1873	
Feb. 18, 1864	W. H. Hartman et al	do	2210		Do.
Feb. 18, 1864	S. McLean et al	do	2220	Aug. 5, 1873	
Feb. 18, 1864	M. Maas et al	po	2218		Do.
Feb. 18, 1864	F. M. Maas et el	do	2219		Do.
Feb. 18, 1864	L. Noel et al	do	2221	May 7, 1873	
Feb. 18, 1864	O. Pulls et al	do	2224		Do.
Feb. 18, 1864	E. B. Strange et al	do	2229		Do.
Feb. 18, 1864	J. Bottomly et al	do	2190		Do.
	Heman Batjee et al	do	2158		In notice of reference to collector this is scratched off.
Feb. 18, 1864	H. Fleetman et al	do	2203	Feb. 10, 1874	
Feb. 18, 1864	J. Forstman et al	do	2204	Aug. 21, 1874	

45.

August 13, 1872.—*Reference of pending cases by stipulation to E. Pierrepont.*

Jan. 30, 1865	J. Lehman et al	Schell	2922	June 28, 1873	
Jan. 30, 1865	J. S. Little et al	do	2926	Apr. 18, 1873	
Oct. 20, 1865	H. E. Gillelan et al	do	2914	Nov. 23, 1872	
Jan. 30, 1865	Charles Pearson et al	do	2933	June 4, 1873	
Jan. 30, 1865	A. L. Stone et al	do	2917	Dec. 30, 1873	
Apr. 13, 1861	A. Reckard et al	do	618	Mar. 26, 1873	
Apr. 13, 1861	W. Chamberlain et al	do	616	Nov. 13, 1876	
July 21, 1863	W. Watt et al	do	1400	Jan. 13, 1873	
Apr. 25, 1861	L. Curtis et al	do	620	Nov. 23, 1872	
May 18, 1861	D. Lane et al	do	626	Oct. 2, 1873	

Suits in the charges and commissions cases in New York, &c.—Continued.

45.—*August* 13, 1872.—*Reference of pending cases, &c.*—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
May 23, 1864	W. Brunner et al.	Barney	2721	Nov. 6, 1873	
Dec. 8, 1863	G. R. Sheldon et al	do	1790		Davenport.
Oct. 13, 1863	J. M. Pendleton et al	do	1458		Do.
Apr. 16, 1868	F. M. Peyser et al	do	301		Do.
May 27, 1863	W. L. King et al	do	1186	Aug. 18, 1873	

46.

August 13, 1873.—*Settled cases. Judgments vacated, order of reference revoked, and referred to E. Pierrepont.*

Apr. 1, 1863	L. Grossman et al	Redfield	1122	Nov. 1873	
June 30, 1863	V. Thirion et al	do	1375	Dec. 20, 1873	
Feb. 15, 1864	T. Passavant et al	Schell	2034	May 7, 1874	
Feb. 22, 1864	E. B. Strange et al	do	2265	Nov. 18, 1873	
Feb. 23, 1864	do	Barney	2262		Davenport.
July 23, 1863	J. Seligman et al	Redfield	1402	Jan. 4, 1874	
May 21, 1863	C. Derd et al	Schell	1236	Dec. 18, 1873	
Feb. 15, 1864	S. Guillaume et al	do	2026	Mar. 28, 1876	
Feb. 15, 1864	J. S. Grund et al	do	2029	Mar. 18, 1874	
Feb. 15, 1864	C. Payen et al	do	2033	Apr. 6, 1874	
Sept. 12, 1860	W. Brunner et al	do	524	Nov. 4, 1874	
Nov. 1, 1859	J. Rosenthal et al	Redfield	355	Feb. 28, 1874	
Sept. 3, 1860	W. Latimer et al	Schell	511	Jan. 19, 1874	
Nov. 1, 1859	C. G. Bour et al	Redfield	346	Oct. 8, 1873	
June 9, 1863	V. Thirion et al	Schell	1381	Dec. 30, 1873	
Nov. 1, 1859	C. Derd et al	Redfield	356	Dec. 8, 1873	
Sept. 28, 1860	John A. Fischer et al	do	556	Feb. 4, 1874	
Nov. 1, 1859	T. N. Dale et al	do	347	Mar. 30, 1874	
Sept. 21, 1860	E. Kaupe et al	do	543	Jan. 30, 1874	
Mar. 2, 1862	H. Lewis, jr., et al	Schell	749	Apr. 2, 1874	
Nov. 1, 1859	F. W. Reiner et al	Redfield	352	Feb. 10, 1874	
Nov. 1, 1859	W. Latimer et al	do	364	Jan. 29, 1874	

47.

December 4, 1874.—*Stipulated reference to J. I. Davenport, referee.*

July 23, 1855	B. H. Hutton et al	Bronson	331	Feb. 27, 1875	
Nov. 11, 1859	B. Babcock et al	Redfield	350	Mar. 18, 1875	
Nov. 1, 1859	F. A. Spies et al	do	308	Jan. 27, 1875	
Oct. 1, 1860	A. B. Thwoit et al	do	554	Oct. 26, 1876	
Sept. 21, 1860	B. Andrae et al	do	547	Oct. 26, 1876	
Dec. 23, 1859	H. H. Plimssol et al	do	389		Z.
Mar. 10, 1864	C. L. Rechnayal et al	Barney	2357		G.
Jan. 14, 1864	H. Fischer et al	do	1956		G.
May 6, 1863	G. Bunge et al	do	1188		G.
Jan. 12, 1864	H. Mariot et al	do	1959		G.
May 6, 1863	E. Daleth et al	do	1193		G.
May 6, 1863	T. B. Merrick et al	do	1198		G.
Jan. 30, 1864	F. A. Hersch et al	do	2016		G.
Oct. 23, 1863	E. Caylis et al	do	1540		G.
Mar. 10, 1864	F. W. Simonds et al	do	2356		G.
May 7, 1864	C. B. Raymond et al	Schell	2614		G.
	E. Cayles et al	do	615		G.
May 16, 1861	H. A. Richards et al	do	627		G.
Sept. 1, 1860	C. L. Recknagel et al	do	506		G.
Feb. 26, 1860	T. Galway et al	do	407		G.
Mar. 1, 1860	W. Braguire et al	do	422		G.
Nov. 21, 1860	F. J. Brecthaupt et al	do	580		G.
July 21, 1860	P. C. Blanam et al	do	492		G.
Jan. 8, 1861	L. Herckenrath et al	do	588		G.
Feb. 23, 1861	F. Grund et al	Schell	601		G.
Mar. 11, 1861	D. S. Draper et al	do	609		G.
May 1, 1861	P. Balew et al	do	623		G.
Jan. 29, 1859	I. Robinson et al	do	82		G.
Mar. 17, 1859	H. A. Vatable et al	do	94		G.

Suits in the charges and commissions cases in New York, &c.—Continued.

47.—*December* 4, 1874.—*Stipulated reference to J. I. Davenport, referee*—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Dec. 14, 1859	E. Heineman et al	Schell	384		G.
Mar. 3, 1861	E. Giro et al	do	610		G.
Apr. 13, 1861	F. Cousinery et al	do	614		G.
Apr. 13, 1861	R. M. Gomez et al	do	617		G.
May 2, 1860	O. W. Polletz et al	do	458		G.
Mar. 8, 1862	H. A. Ricard et al	Barney	716		G.
Mar. 3, 1863	N. Gifford et al	do	1206		G.
Apr. 16, 1868	J. W. Cox (successors)	do	389		Statement to dep't, Oct. 14, 1876.
May 6, 1863	W. C. Pickengill et al	do	1202		G.
May 6, 1863	D. Wallestein et al	do	1194		G.
Jan. 12, 1864	I. P. Morgan et al	do	1957		G.
May 6, 1863	J. F. Kedenbuy et al	do	1197		G.
May 6, 1863	J. P. Dike et al	do	1199		G.
May 12, 1863	W. Bauendahl et al	Schell	1237		G.
Aug. 26, 1863	C. Poppenhausen et al	Barney	1447		G.
Oct. 13, 1863	C. W. Ruprecht et al	do	1459		G.
Dec. 8, 1863	J. F. Schepeler et al	do	1789		G.
Dec. 8, 1863	F. Spring et al	do	1791		G.
Apr. 16, 1868	H. Benda et al	do	391		G.
Apr. 16, 1868	M. H. Cashman et al	do	394		G.
Apr. 16, 1868	F. M. Pyser et al	do	401		G.
Jan. 12, 1864	L. Marx et al	do	1958		G.
Mar. 10, 1864	T. Ralli et al	do	2358		G.
Mar. 10, 1864	L. Englehern et al	do	2362		G.
Mar. 10, 1864	E. Heeneman et al	do	2360		G.
Mar. 10, 1864	L. Oppenheimer et al	do	2359		G.
Apr. 13, 1861	M. Mitchell et al	Schell	619	Mar. —, 1875	
Apr. 16, 1868	D. F. Freeman et al	Barney	393		G.
Apr. 16, 1868	H. Henequin et al	do	396		G.
Apr. 16, 1868	C. Pearson et al	do	400	Oct. 26, 1876	
Feb. 15, 1864	H. de Goer et al	Schell	2024		Statement to dep't, Nov. 26, 1876.
Oct. 1, 1859	A. Lachaise et al	do	265	Mar. 18, 1875	
Sept. 14, 1860	J. Chaudler et al	do	535		G.
May 14, 1861	J. Benkard et al	do	625		G.
Sept. 19, 1857	F. Cottinett et al	do	338		G.
Oct. 9, 1857	H. Henequin et al	do	337		G.
Jan. 25, 1866	C. F. Schneider et al	Barney	3015		G.
Jan. 25, 1866	C. F. Dambman et al	do	3007	Dec. 20, 1876	
Jan. 25, 1866	H. Easter et al	do	3008		G.
Jan. 25, 1866	D. A. Lindsay et al	do	3011		G.
Jan. 25, 1866	W. Lattimer and E. Sully	do	3012	Jan. 6, 1877	
Jan. 25, 1866	J. S. Petrie et al	do	3013		G.
Jan. 25, 1866	A. Rickard et al	do	3014	Jan. 29, 1877	
Jan. 25, 1866	J. H. White et al	do	3016		G.
Mar. 10, 1866	do	do	3026		G.
Jan. 25, 1866	E. Yard et al	do	3017		G.
May 23, 1864	W. Brunner et al	do	2742	Nov. 6, 1873	
Sept. 9, 1866	H. J. Fairchild et al	do	3110	Oct. 26, 1876	
June 11, 1863	S. McLean et al	do	1359		G.
Feb. 23, 1861	A. Richard et al	Schell	603		G.
Mar. 11, 1861	M. A. Sorchen et al	do	607		G.
Mar. 2, 1865	J. Parravant et al	Barney	2769	Mar. 18, 1875	
Sept. 27, 1869	H. B. Claflin et al	do	907		G.
Mar. 7, 1865	J. Fischer et al	do	2779		G.
June 30, 1863	D. McForbes et al	do	1386		G.
June 30, 1863	W. H. Lee et al	do	1387		G.
Feb. 3, 1860	V. Fauche et al	Schell	424		G.

Suits in the charges and commissions cases in New York, &c.—Continued.

48.

Pending cases referred to J. I. Davenport, January 19, 1875.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Mar. 10, 1863	E. H. Arnold	Redfield	1051		D.
Apr. 6, 1863	A. Aldridge et al	Schell	1112		D.
Apr. 6, 1863	E. H. Arnold	do	1119		D.
May 11, 1863	W. C. Atwood et al	do	1218		D.
May 11, 1863	J. Albro et al	do	1222		D.
Nov. 18, 1863	N. Ariel et al	Barney	1604		D.
Dec. 4, 1863	J. Acker et al	Redfield	1747	Jan. 27, 1877	
Dec. 21, 1863	C. Andre et al	Schell	1826		D.
Dec. 21, 1863	W. Aufluman et al	do	1824		D.
Jan. 23, 1864	J. Atwell et al	do	2041		D.
Dec. 23, 1863	Union Adams et al	do	1823		D.
Feb. 2, 1864	F. D. Allen et al	do	2061		D.
Feb. 18, 1864	H. Ackerman et al	Barney	2183		D.
Feb. 18, 1864	do	do	2184	Jan. 27, 1877	
Feb. 23, 1864	I. H Adams et al	Schell	2266		D.
Mar. 1, 1865	E. Armstrong et al	Barney	2886		D.
Apr. 20, 1864	G. Allwold et al	Schell	2546		D.
Apr. 18, 1864	J. Attman et al.	do	2545		D.
Feb. 18, 1864	L. L. Arnold et al	do	2104		D.
Apr. 28, 1864	F. H. Aschman et al	do	2634		D.
Dec. 2, 1862	A. T. Bruce et al	do	913		D.
Dec. 2, 1862	J. Bleumenthal et al	do	911		D.
May 11, 1863	I. S. Billings et al	do	1214		D.
May 11, 1863	W. Bliss et al	do	1215		D.
Dec. 21, 1863	H. M. Bachlie et al	Schell	1833		D.
Dec. 21, 1863	R. Bell et al	do	1831		D.
Dec. 5, 1863	C. F. Blake et al	do	1799		D.
Dec. 21, 1863	I. Badnall, et al	do	1830		D.
Jan. 19, 1864	W. H. Beare et al	do	1961		D.
Jan. 23, 1864	W. R. Babcock et al	do	2058		D.
Jan. 23, 1864	H. Bancroft et al	do	2043		D.
Jan. 23, 1864	I. Black et al	do	2051		D.
Jan. 23, 1864	W. Bliss et al	do	2050		D.
Feb. 18, 1864	A. Bernstein et al	Barney	2191		D.
Feb. 20, 1864	W. M. Bliss et al	Schell	2159		D.
Feb. 20, 1864	H. Batgei et al	do	2158		D.
Feb. 23, 1864	E. A. Boyd et al	do	2267		D.
Apr. 18, 1864	C. E. Balleire et al	do	2547		D.
Feb. 18, 1864	L. Bamberger et al	do	2105		D.
Apr. 28, 1864	N. Benziger et al	do	2631		D.
Apr. 28, 1864	A. Bernstein et al	do	2632		D.
Feb. 18, 1864	A. Blum	do	2108		D.
Mar. 31, 1864	A. Bondy	do	2474		D.
Feb. 18, 1864	I. Bundy et al	do	2110		D.
Feb. 18, 1864	Same	do	2109		D.
Apr. 28, 1864	J. H. Bosshard et al	do	2630		D.
Apr. 28, 1864	S. S. Bowman et al	do	2486		D.
Apr. 1, 1864	K. Boyce et al	do	2488		D.
Apr. 1, 1864	I. A. Bliss, W. H. Lee et al	do	2489		D.
Apr. 28, 1864	A. H. Drake et al	do	2633		D.
Apr. 28, 1864	A. F. Brandt et al	do	2487		D.
Feb. 18, 1864	F. Brosshard et al	do	2106		D.
Mar. 31, 1864	H. Brown, jr	do	2472		D.
Feb. 18, 1864	W. K. Brall	do	2107		D.—
Mar. 31, 1864	T. H. Brown et al	do	2473		D.
Nov. 11, 1863	I. G. Crane et al	do	1582		D.
Dec. 5, 1863	W. Clapp, Kent et al	do	1802		D.
Dec. 5, 1863	C. Coch et al	do	1801		D.
Dec. 5, 1863	W. Clapp, Berkly et al	do	1803		D.
Dec. 5, 1863	A. H. Crane et al	do	1800		D.
Dec. 31, 1863	L. Cramer, Abeg et al	do	1861		D.
Dec. 31, 1863	L. Cramer, McC. et al	do	1862		D.
Jan. 19, 1864	D. Caroline et al	do	1965		D.
Jan. 19, 1864	W. J. Cunningham et al	do	1964		D.
Jan. 19, 1864	M. H. Crawford et al	do	1963		D.
Jan. 19, 1864	H. Cohen	do	1962		D.
Jan. 23, 1864	I. Clyde et al	do	2053		D.
Feb. 2, 1864	C. E. Clagham et al	do	2063		D.
Feb. 23, 1864	E. Coleman et al	de	2271		D.

Suits in the charges and commissions cases in New York, &c.—Continued.

48.—*Pending cases referred to J. I. Davenport, January* 19, 1875—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Feb. 23, 1864	I. Calender et al	Schell	2272		D.
Feb. 23, 1864	W. H. Churchill et al	do	2270		D.
Feb. 23, 1864	I. M. Coleman et al	do	2269		D.
Feb. 23, 1864	J. E. Caldwell et al	do	2268		D.
Apr. 28, 1864	E. Caron et al	do	2625		D.
Apr. 28, 1864	C. Carville	do	2626		D.
Apr. 28, 1864	E. Caylar et al	do	2628		D.
Apr. 28, 1864	W. Churchill, jr	do	2624		D.
Apr. 28, 1864	H. E. Clark et al	do	2623		Z.
Feb. 18, 1864	S. B. Cohen et al	do	2112		D.
Feb. 18, 1864	G. M. Cohen et al	do	2114		D.
Feb. 18, 1864	H. M. Cohen et al	do	2113		D.
Apr. 28, 1864	E. H. Conway et al	do	2629		D.
Feb. 18, 1864	L. Cook et al	do	2111		D.
Apr. 28, 1864	James Cook et al	do	2627		D.
June 8, 1863	John Cropper et al	do	1365		D.
Apr. 18, 1864	I. Crosby et al	do	2548		D.
May 1, 1863	I. H. Dulles, jr	Barney	1173		D.
Nov. 27, 1863	R. L. Dawson et al	Schell	1633		D.
Dec. 31, 1863	E. J. Downell	do	1866		D.
Jan. 23, 1864	A. Dexter et al	do	2037		D.
Jan. 23, 1864	John Daggett	do	2040		D.
Feb. 2, 1864	William Deckson	do	2066		D.
Feb. 2, 1864	R. T. Downie	do	2065		D.
Feb. 20, 1864	N. Dougherty	do	2160		D.
Feb. 20, 1864	S. N. Dodge	do	2161		D.
Feb. 23, 1864	I. H. Dulles, jr., et al	do	2274	Jan. 27, 1877	
Feb. 23, 1864	T. Davids et al	do	2273		D.
Feb. 26, 1864	S. Doran et al	do	2315		D.
Feb. 25, 1863	D. H. Davis	do	1028		D.
Feb. 18, 1864	J. A. Davenport	do	2110		D.
Mar. 31, 1864	F. Debury	do	2475	Jan. 27, 1875	
Feb. 18, 1864	H. R. Disseldorff et al	do	2120		D.
Feb. 18, 1864	M. Ditman et al	do	2117		D.
Feb. 18, 1864	D. Dunkenspeil et al	do	2116		D.
Feb. 18, 1864	W. A. Dodge	do	2115		D.
Apr. 18, 1864	W. E. Dodge et al	do	2549		D.
Feb. 18, 1864	A. Drey et al	do	2119		D.
Dec. 2, 1862	M. P. Emden et al	do	921		D.
Feb. 6, 1863	A. F. Edgerton	do	999		D.
Apr. 6, 1863	James Elliot	do	1109		D.
Oct. 22, 1863	G. H. Ellery et al	do	1531	Oct. 26, 1876	
Dec. 21, 1863	E. Elting et al	do	1868		D.
Jan. 9, 1864	Thomas W. Evans et al	do	1928		D.
Feb. 23, 1864	Charles Ellis et al	do	2275		D.
Feb. 18, 1864	A. S. Eastman et al	do	2122		D.
Apr. 1, 1864	L. Edgerton et al	do	2490		D.
Apr. 18, 1864	J. B. Elliman et al	do	2744		D.
Feb. 18, 1864	I. Emanuel et al	do	2121		D.
Feb. 6, 1863	J. E. Friend et al	do	1003		D.
Jan. 9, 1864	J. A. Fischer et al	do	1932		D.
Jan. 9, 1864	E. Fort et al	do	1929		D.
Jan. 19, 1864	I. A. Farnum	do	1966		D.
Jan. 23, 1864	I. A. Farnum et al	do	2046		D.
Jan. 19, 1864	James French	do	1967		D.
Feb. 18, 1864	G. W. Faber	Barry	2196		D.
Feb. 20, 1864	R. Fischer et al	Schell	2164		D.
Feb. 20, 1864	W. Fischer	do	2163		D.
Feb. 20, 1864	James L. Fischer	do	2277		D.
Feb. 20, 1864	B. H. Field	do	2278		D.
Feb. 20, 1864	W. Felt et al	do	2276		D.
Feb. 20, 1864	C. J. Field et al	do	2279		D.
Mar. 4, 1863	Charles Francis	do	1033		D.
Feb. 18, 1864	W. Fortenbach et al	do	2123		D.
Mar. 31, 1864	G. Fauth et al	do	2476		D.
Dec. 2, 1862	S. Genterman et al	do	907		D.
Mar. 4, 1863	C. G. Gronman et al	do	1031		D.
Apr. 6, 1863	C. C. Goodrich et al	do	1106		D.
Nov. 3, 1863	N. Guttman et al	do	1565		D.

Suits in the charges and commissions cases in New York, &c.—Continued.

48.—*Pending cases referred to J. I. Davenport, January* 19, 1875—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Nov. 27, 1863	J. S. Gillespie et al	Schell	1641		D.
Jan. 9, 1864	W. Graydon et al	do	1934		D.
Jan. 23, 1864	E. Grundy et al	do	2049		D.
Jan. 23, 1864	Charles Gascoyne	do	2048		D.
Jan. 23, 1864	R. Gullen et al	do	2056		D.
Jan. 23, 1864	J. W. Goff	do	2055		D.
Jan. 23, 1864	R. Gardner	do	2039		D.
Jan. 23, 1864	W. Gusbobz	do	2042		D.
Feb. 18, 1864	Charles Goldel	do	2205		D.
Feb. 18, 1864	E. Greff	Barry	2207		D.
Feb. 18, 1864	S. Ginterman et al	do	2206	Nov. 13, 1876	D.
Feb. 23, 1864	E. D. Goddard	Schell	2280		D.
Feb. 18, 1864	H. Goebler	do	2124		D.
July 24, 1862	John S. Holden	Redfield	822		D.
Feb. 6, 1863	Thomas Hill et al	Schell	1001		D.
Feb. 6, 1863	G. E. L. Hyatt	do	996		D.
Apr, 6, 1863	James Houghton et al	do	1117		D.
May 11, 1863	R. Hawkins et al	do	1220		D.
Oct. 24, 1863	H. Hirchfield	do	1542		D.
Oct. 24, 1863	do et al	Barry	1545		D.
Nov. 18, 1863	G. Hessenberg et al	Schell	1621		D.
Nov. 27, 1863	W. A. Howell et al	do	1643		D.
Dec. 4, 1863	G. W. Hennings et al	do	1728		D.
Dec. 5, 1863	W. C. Haggerty et al	do	1804		D.
Jan. 9, 1864	I. B. Hall	do	1939		D.
Jan. 9, 1864	A & S. Henry	do	1936		D.
Jan. 9, 1864	Samuel Holmes et al	do	1938		D.
Jan. 26, 1864	O. G. Hand et al	do	2045		D.
Feb. 20, 1864	J. M. Harper	do	2167		D.
Feb. 23, 1864	Thomas H. Healy	do	2282		D.
Feb. 23, 1864	H. M. Hilderbum et al	do	2285		D.
Feb. 23, 1864	I. Hope et al	do	2283		D.
Feb. 23, 1864	S. Hill	do	2284		D.
Feb. 23, 1864	E. Haynes	do	2286		D.
Feb. 23, 1864	W. Howard et al	do	2281		D.
Apr. 18, 1864	E. S. Halstead et al	do	2745		D.
Feb. 18, 1864	I. Hamberger et al	do	2126		D.
Apr. 18, 1864	I. P. Hamel et al	do	2746		D.
Feb. 18, 1864	C. C. Hatch et al	do	2133		D.
Feb. 18, 1864	D. Haussman et al	do	2125		D.
Feb. 18, 1864	P. M. Haverty	do	2132		D.
Apr. 18, 1864	D. G. Haviland et al	do	2748		D.
Feb. 18, 1864	F. G. Hendrick et al	do	2131		D.
June 8, 1863	I. Hemsley et al	do	1366		D.
Apr. 18, 1864	E. Heifirth et al	do	2747		D.
Feb. 18, 1864	E. Herman et al	do	2127		D.
Feb. 18, 1864	Unah Herman et al	do	2129		D.
Apr. 1, 1864	A. Higgins et al	do	2491		D.
Feb. 18, 1864	N. Hillyer et al	do	2130		D.
Feb. 18, 1864	M. Hollacher	do	2128		D.
Jan. 19, 1864	J. S. Inloes et al	do	1968		D.
Feb. 23, 1864	F. Ingoldsby et al	do	2287		D.
Dec. 4, 1863	J. C. Jackson	do	1731		D.
Dec. 4, 1863	George Johnson et al	do	1805		D.
Jan. 9, 1864	H. P. Jomnay et al	do	1940		D.
Feb. 2, 1864	F. W. Jones et al	do	2068		D.
Feb. 23, 1864	E. H. Jacot et al	do	2169		D.
Feb. 23, 1864	A. B. Justice et al	do	2288		D.
Feb. 28, 1864	H. Jacoby et al	do	2134		D.
Mar. 31, 1864	S. Jacobi	do	2456		D.
Apr. 18, 1864	E. A. Jee et al	do	2749		D.
Feb. 6, 1863	J. C. Kilgore	do	1005		D.
Feb. 23, 1864	A. Kumak	do	2289		D.
Feb. 20, 1864	Charles Kurtgen	do	2170		D.
Feb. 23, 1864	H. Kellogg et al	do	2290		D.
Apr. 26, 1864	George E. Kimhardt	do	2750		D.
Jan. 19, 1864	J. V. King et al	do	1969		D.
May 11, 1863	F. Lee et al	do	1216		D.
May 11, 1863	A. J. Lewis et al	do	1213		D.

Suits in the charges and commissions cases in New York, &c.—Continued.

48.—*Pending cases referred to J. I. Davenport, January* 19, 1875—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
May 11, 1863	S. Leonard et al	Schell	1212		D.
Jan. 19, 1864	H. M. Loring et al	do	1972		D.
Jan. 9, 1864	Henry Levy	do	1944		D.
Jan. 19, 1864	N. Loder et al	do	1971		D.
Jan. 19, 1864	J. D. Lewis et al	do	1970		D.
Feb. 18, 1864	A. Ladewig et al	do	2136	Dec. 12, 1874	In Pierpont.
Apr. 1, 1864	C. C. Landon et al	do	2480	Jan. 31, 1877	
Apr. 1, 1864	W. G. Lane et al	do	2478		D.
Mar. 31, 1864	W. Larone	do	2457		D.
Apr. 18, 1864	E. Lebrow et al	do	2751		D.
Feb. 18, 1864	J. H. Leggett, jr., et al	do	2135		D.
Mar. 31, 1864	E. Lentither	do	2477		D.
Apr. 1, 1864	E. Leon et al	do	2481		D.
Dec. 2, 1862	F. M. Maas et al	do	923		D.
Apr. 6, 1863	J. A. Murphy et al	do	1104		D.
Nov. 11, 1863	C. Melletta	do	1585		D.
Nov. 18, 1863	H. Moulan	do	1606		D.
Nov. 18, 1863	C. Meletta et al	do	1626		D.
Dec. 4, 1863	E. Morgan	do	1735		D.
Dec. 5, 1863	I. Morrison	do	1810		D.
Dec. 5, 1863	W. Morrison et al	do	1811		D.
Jan. 9, 1864	L. Marx et al	do	1947		D.
Jan. 23, 1864	C. C. Merchant et al	do	2057		D.
Feb. 2, 1864	T. Millen et al	do	2071		D.
Feb. 2, 1864	H. Maupani et al	do	2070		D.
Feb. 20, 1864	E. Mills	do	2173		D.
Feb. 23, 1864	T. Mendell et al	do	2291		D.
Feb. 20, 1864	J. A. McAllister et al	do	2292		D.
Feb. 25, 1865	Thomas Monroe	do	2885		D.
Feb. 20, 1864	M. H. Maas et al	do	2172		D.
Mar. 31, 1864	H. Machin	do	2459		D.
Apr. 18, 1864	W. H. Martin et al	do	2752		D.
Feb. 18, 1864	I. Massin et al	do	2157		D.
Apr. 18, 1864	M. F. Merritt	do	2753		D.
Apr. 18, 1864	R. S. Middleton, et al	do	2754		D.
Apr. 1, 1864	A. M. Morgan, et al	do	2479		D.
Apr. 18, 1864	E. Meggett et al	do	2755		D.
Feb. 18, 1864	J. Newberger	do			D.
Apr. 6, 1863	M. Oppenheim et al	do			D.
Feb. 18, 1864	J. N. Ottinger et al	do			D.
Feb. 18, 1864	M. Ohlman et al	do			D.
Apr. 6, 1863	B. Pike et al	do			D.
Apr. 6, 1863	A. Plimpton et al	do			D.
May 11, 1863	E. W. Paine	do			D.
Nov. 11, 1863	E. Poiser et al	do			D.
Nov. 27, 1863	T. Patin et al	do			D.
Dec. 5, 1863	F. T. Peet et al	do			D.
Jan. 19, 1864	George D. Parish	do			D.
Feb. 18, 1864	H. Portor et al	Barney			D.
Jan. 19, 1864	E. W. Paine	Schell			D.
Feb. 20, 1864	G. A. Poppe et al	do			D.
Feb. 23, 1864	C. J. Price et al	do			D.
Feb. 25, 1863	S. H. Pearce et al	Redfield			D.
Jan. 19, 1864	do	Schell			D.
Apr. 1, 1864	J. T. Phelps et al	do			D.
Mar. 31, 1864	M. W. Phineas	do			D.
Feb. 18, 1864	J. Pollock et al	do			D.
Mar. 31, 1864	M. Pollitzer	do			D.
Feb. 6, 1863	C. Robins et al	do			D.
Apr. 6, 1863	A. H. Rosenheim et al	do			D.
Nov. 11, 1863	George Rogge	do			D.
Dec. 4, 1863	F. W. Reiner et al	do	1736		D.
Jan 19, 1864	E. Robins et al	do	1979		D.
Jan. 19, 1864	G. B. Riese et al	do	1980		D.
Jan. 23, 1864	A. G. Renault	do	2047		D.
Feb. 23, 1864	W. Raphael	do	2072		D.
Feb. 23, 1864	W. P. Reeder	do	2073		D.
Feb. 20, 1864	John Ryle	do	2175		D.
Apr. 18, 1864	W. Rinemer et al	do	2757		D.

Suits in the charges and commissions cases in New York, &c.—Continued.

48.—*Pending cases referred to J. I. Davenport, January* 19, 1875—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Feb. 18, 1864	J. Raw et al	Schell	2143		D.
Feb. 18, 1864	T. Rose et al	....do	2142		D.
Apr. 18, 1864	J. T. Robin et al	....do	2756		D.
Feb. 3, 1863	P. F. Smith	....do	1002		D.
Apr. 6, 1863	J. Schaffner	....do	1120		D.
Nov. 11, 1863	A. Schneeami et al	....do	1591		D.
Dec. 4, 1863	W. Smith et al	....do	1741		D.
Dec. 3, 1863	A. Smith et al	....do	1813		D.
Jan. 19, 1864	J. Seligman et al	....do	1995		D.
Jan. 19, 1864	P. Seiger et al	....do	1987		D.
Jan. 19, 1864	J. B. Shephard et al	....do	1986		D.
Jan. 19, 1864	David Samuels et al	....do	1985		D.
Jan. 19, 1864	Benjamin Sharp	....do	1993		D.
Feb. 2, 1864	R. J. Scrivener	....do	2075		D.
Feb. 2, 1864	Pliny F. Smith et al	....do	2076		D.
Feb. 2, 1864	A. Stephanie	....do	2078		D.
Feb. 18, 1864	R. A. Schnabel et al	Barney	2232		D.
Feb. 18, 1864	H. Schaudorff et al	....do	2228		D.
Feb. 18, 1864	L. Strulter et al	....do	2230		D.
Feb. 18, 1864	John Sattig	....do	2231		D.
Feb. 20, 1864	F. S. Schlessinger et al	Schell	2178		D.
Feb. 23, 1864	S. Sheldon et al	....do	2294		D.
Feb. 23, 1864	M. H. Swift et al	....do	2295		D.
Feb. 23, 1864	B. E. Staats	....do	2298		D.
June 13, 1865	Theo. Strang et al	....do	2890		D.
Aug. 1, 1865	.....do	Barney	2893		D.
Apr. 20, 1864	G. G. Sampson et al	Schell	2760		D.
Mar. 31, 1864	G. Sanderson	....do	2460		D.
Mar. 31, 1864	G. Schepanhausen et al	....do	2463		D.
Apr. 18, 1864	H. Schlessinger et al	....do	2762		D.
Feb. 18, 1864	A. Scholle et al	....do	2145		D.
Mar. 31, 1864	H. Schulting	....do	2461		D.
Feb. 18, 1864	L. Stone et al	....do	2147		D.
Feb. 18, 1864	I. Strauss et al	....do	2146		D.
Feb. 22, 1864	S. H. Strouse et al	....do	2144		D.
Apr. 18, 1864	G. G. Smith et al	....do	2758		D.
Mar. 31, 1864	L. Sanborn et al	....do	2465		D.
Apr. 18, 1864	E. Surbat	....do	2759		D.
Dec. 2, 1862	C. A. Townsend et al	....do	919		D.
Apr. 6, 1863	I. Thomas	....do	1111		D.
May 15, 1863	.....do	Redfield	1231		D.
Nov. 27, 1863	Holbert Taylor	....do	1657		D.
Dec. 4, 1863	.....do	Schell	1742		D.
Dec. 5, 1863	G. Tingle et al	....do	1816		D.
Dec. 5, 1863	W. Taylor et al	....do	1817		D.
Jan. 19, 1864	E. W. Fryan	....do	1996		D.
Feb. 18, 1864	Holbert Taylor	Barney	2235		D.
Mar. 31, 1864	C. F. Tay	Schell	2471		D.
Feb. 18, 1864	E. T. Tefft et al	....do	2148		D.
Feb. 18, 1864	W. H. Thorne	....do	2149		D.
Mar. 31, 1864	E. M. Townsend	....do	2478		D.
Mar. 31, 1864	G. W. Tuttle	....do	2483		D.
Nov. 3, 1863	J. A. Ubsdell et al	....do	1562		D.
Feb. 18, 1864	E. D. Unkart	Barney	2236		D.
Feb. 18, 1864	E. D. Unkart et al	....do	2237	Jan. 27, 1877	
May 11, 1863	J. Valerio et al	Schell	1217		D.
Apr. 26, 1864	M. Victory	....do	2761		D.
Dec. 2, 1862	W. Wertham	....do	914		D.
Dec. 6, 1862	W. W. Wright et al	....do	924		D.
Apr. 6, 1863	T. Wilder et al	....do	1115		D.
Nov. 11, 1863	L. Wetzlar et al	....do	1581		D.
Nov. 11, 1863	W. Wallach	....do	1586		D.
Jan. 19, 1864	W. M. Waterbury	....do	1589		D.
Jan. 19, 1864	W. Wiese	....do	1997		D.
Jan. 19, 1864	Richard Wood	....do	2000		D.
Jan. 19, 1864	W. Warnock et al	....do	1999		D.
Jan. 19, 1864	A. Worrell et al	....do	1998		D.
Feb. 23, 1864	S. S. Wood et al	....do	2302		D.
Feb. 2, 1864	P. Wright et al	....do	2079		D.

Suits in the charges and commissions cases in New York, &c.—Continued.

48.—*Pending cases referred to J. I. Davenport, January*, 19, 1875.—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Feb. 18, 1864	M. C. G. Witte	Barney	2242		D.
Feb. 18, 1864	John G. Witte	do	2243		D.
Feb. 20, 1864	M. N. Woodcock	Schell	2180		D.
Feb. 23, 1864	W. P. Welstach et al	do	2303		D.
Feb. 23, 1864	J. M. Warren et al	do	2301		D.
Feb. 23, 1864	E. Willets	do	2300		D.
Jan. 23, 1864	Ed, Wood	do	2059		D.
Feb. 18, 1864	L. Wachenhiem et al	do	2151		D,
Mar. 31, 1864	A. Wallach	do	2466		D.
Apr. 18, 1864	W. Walton et al	do	2763		D.
Apr. 18, 1864	H. W. Warren et al	do	2764		D.
Apr. 18, 1864	H. D. Wied et al	do	2765		D.
Feb. 18, 1864	B. Wiesker et al	do	2154		D.
Feb. 18, 1864	J. Wetzlar et al	do	2152		D.
Feb. 18, 1864	L. Wetzlar	do	2469		D.
Mar. 31, 1864	L. P. Windmiller	do	2468		D.
Apr. 1, 1864	G. B. Windle et al	do	245		D.
Feb. 18, 1864	P. W. Wiskaman et al	do	2155		D.
Feb. 18, 1864	H. Wolff et al	do	2153		D.
Mar. 31, 1864	R. Wolff et al	do	2467		D.
Apr. 1, 1864	J. W. Woods et al	do	2484		D.
Feb. 2, 1864	E. M. Young et al	Schell	2080		D.
Feb. 18, 1864	S. Zeim et al	do	2186		D.

49.

Suits formerly referred to E. Pierrepont, not adjusted by him, and now referred to J. I. Davenport.—December 18, 1876.

Mar. 5, 1863	C. Augrave	Schell	1796		D.
Apr. 16, 1868	A. S. Amson et al	Barney N. S.	392	Jan. 6, 1877	
Dec. 2, 1862	N. Asiel et al	Schell	925		D.
Dec. 21, 1863	L. E. Amswide et al	do	1825		D.
Dec. 21, 1863	E. Armstrong et al	do	1827		D.
Dec. 27, 1863	L. E. Austin et al	do	1644		D.
Dec. 4, 1863	J. H. Abert et al	Redfield	1746		D.
Dec. 5, 1863	do	Schell	1797		D.
Nov. 11, 1863	D. S. Arnold et al	do	1584		D.
Jan. 30, 1865	F. Berty	do	2931		G.
Feb. 5, 1868	do	Barney N. S.	332		G.
Feb. 5, 1868	E. Blackburn	do "	330		G.
Feb. 5, 1868	C. Le Boulettier et al	do "	322		G.
Apr. 16, 1868	C. F. Van Blankenstyn et al	do "	404		D.
Dec. 4, 1863	J. H. Buyers et al	Schell	1723		D.
Nov. 27, 1863	B. F. Babcock et al	do	1630		D.
Nov. 18, 1863	G. F. W. Bartels et al	do	1623		D.
Dec. 4, 1863	Ed. Bech et al	do	1719		D.
Dec. 21, 1863	George J. Bechtel et al	do	1332		D.
Dec. 31, 1863	J. M. Beebe et al	do	1860		D.
Feb. 3, 1863	T. Le Boulettier et al	do	998		D.
Feb. 22, 1864	C. F. Van Blankenstyn et al	do	2150		G.
Feb. 18, 1864	John Bottemby et al	Barney	2190		D.
Feb. 20, 1864	H. Batjer	Schell	2158	Z	
Jan. 31, 1863	S. Cochrane et al	do	994		D.
Jan. 23, 1864	C. Canille	do	2052		D.
Dec. 31, 1863	W. D. Cromwell et al	do	1864	Jan. 29, 1877	
Dec. 2, 1862	C. R. Cargill et al	do	922		D.
Apr. 6, 1863	W. P. Crow et al	do	1102		D.
Feb. 2, 1864	J. Cheny et al	do	2064		D.
Feb. 5, 1868	Thomas N. Dale et al	Barney N. S.	329		D.
Nov. 27, 1863	F. Dehon	Redfield	1655		D.
Apr. 27, 1863	Thomas N. Dale et al	do	1134		D.
Dec. 4, 1863	F. Dehon	Schell	1725		D.
Dec. 11, 1863	Thomas N. Dale et al	do	1588		D.

Suits in the charges and commissions cases in New York, &c.—Continued.

49.—*Suits formerly referred to E. Pierrepont, &c.*—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Jan. 9, 1864	F. Duysters	Schell	1926		D.
Feb. 26, 1864	E. Douglass et al	do	2306		D.
Nov. 27, 1863	J. Ellison	Redfield	1659		D.
Dec. 4, 1863	do	Schell	1727		D.
Feb. 20, 1864	H. G. Ely et al	do	2162		D.
Apr. 17, 1868	A. Friedman	Barney N. S.	406		D.; statement sent to department; not paid.
Dec. 2, 1862	L. A. Friend et al	Schell	910		D.
Apr. 6, 1863	R. Foulds, jr	do	1103		D.
May 12, 1863	W. Fuller et al	do	1221		D.
Feb. 2, 1864	J. Grund	do	2067		D.
Feb. 5, 1868	A. H. Heidich	Barney N. S.	326		G.
Nov. 27, 1863	J. J. Holden	Redfield	822		D.
July 8, 1863	W. H. Hartman	do	1394		D.
Dec. 4, 1863	J. S. Holden	Schell	1730		D.
Nov. 27, 1863	J. H. Holdane et al	do	1637		D.
Dec. 4, 1863	D. Heuschen et al	do	1729	Jan. 27, 1877	
Jan. 9, 1864	J. Houldsworth et al	do	1935	Jan. 27, 1877	
Dec. 2, 1862	H. Hermann et al	do	920		D.
Feb. 18, 1864	W. H. Hartman et al	do	2210		D.
Feb. 5, 1868	J. Isler et al	Barney N. S.	324	Mar. 1, 1877	Sent to departm't; not paid.
Feb. 5, 1868	A. Kanpe et al	do N. S.	323		G.
Feb. 6, 1863	L. J. Levy et al	Redfield	1010		D.
Feb. 3, 1863	S. R. Lisher et al	do	1004		D.
Nov. 27, 1863	E. C. Letchfield	do	1654		D.
Dec. 4, 1863	E. C. Letchfield	Schell	1733		D.
Nov. 18, 1863	D. A. Lindsay et al	do	1627		D.
Apr. 16, 1868	T. B. Merrick et al	Barney N. S.	398	Z	
Nov. 27, 1863	B. A. Mumford et al	Schell	1631		D.
Jan. 9, 1864	W. Moser	do	1946		D.
Feb. 18, 1864	M. Maas	Barney	2218		D.
Feb. 18, 1864	F. M. Maas et al	do	2219		D.
Feb. 3, 1863	C. J. Morlot et al	Schell	1006		D.
Apr. 6, 1863	T. F. Noble	do	1105		D.
Nov. 11, 1863	George L. Newell et al	do	1590		D.
Apr. 16, 1868	E. A. Oelrich et al	Barney N. S.	399		G.
Nov. 27, 1863	S. M. Peyser	Schell	1636		D.
Feb. 18, 1864	A. Perrier et al	Barney	2225		D.
Feb. 18, 1864	H. Paster et al	do	2223		D.; statement sent to department; not paid.
Feb. 18, 1864	O. Pulls	do	2224		D.
Oct. 13, 1863	J. M. Pendleton	do	1458		G.
Apr. 16, 1868	F. M. Peyser	do N. S.	401	Z	
Feb. 5, 1868	A. Rolker et al	do "	319		G.
Feb. 5, 1868	J. Rosenthal	do "	318		G.
Feb. 2, 1864	A. Rolker et al	Schell	2074		D.
Feb. 5, 1868	F. Schuchardt et al	Barney N. S.	316		G.
Feb. 26, 1864	John Sye et al	Schell	2307		G.
Nov. 21, 1863	J. W. Schmidt et al	Redfield	1610		D.
Nov. 27, 1863	do	Schell	1639		D.
Jan. 19, 1864	H. A. Smythe et al	do	1992		D.
Feb. 3, 1863	R. Spedding et al	do	1007		D.
Dec. 4, 1863	A. Scheitlin et al	do	1738		D.
Nov. 4, 1863	D. S. Schanck et al	do	1559		D.
Feb. 2, 1864	H. A. Smythe et al	do	2077		D.
Jan. 19, 1864	L. D. Senat et al	do	1991		D.
Feb. 23, 1864	H. M. Swift et al	do	2295		See Davenport, 1875; this is there.
Feb. 18, 1864	E. B. Strange et al	Barney	2229		D
Dec. 8, 1863	George B. Sheldon	do	1790		G.
Feb. 23, 1864	E. B. Strange et al	do	2262		G.
Apr. 6, 1863	L. Sampson et al	Schell	1110		D.
Feb. 5, 1868	F. Tomes et al	Barney	314		G.
Apr. 6, 1863	W. Thompson	Schell	1114		D.
Nov. 27, 1863	John Trippett et al	do	1646		D.
Feb. 20, 1864	M. Thalnesinger et al	do	2179		D.

Suits in the charges and commissions cases in New York, &c.—Continued.

49.—*Suits formerly referred to E. Pierrepont, &c.*—Continued.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Feb. 3, 1863	W. S. Torle et al	Schell	1008		D.
Feb. 23, 1864	John Vogt et al	do	2299		D.
Apr. 7, 1868	S. W. Waterbury et al	Barney	407		G.
Dec. 4, 1862	M. S. Whitney	Redfield	938		D.
Dec. 2, 1862	do	Schell	909		D.
Oct. 22, 1863	G. Wolfers	do	1536		D.
Dec. 4, 1863	W. S. Wilson	do	1744		D.

50.

Verdict of January 20, 1877.

	A. Aymer et al	Redfield	875	Feb. 16, 1877	

51.

Settled suits; judgments vacated; order of reference revoked, and referred to John I. Davenport, January 27, 1877.

First payment.		Plaintiff.	Defendant.	United States attorney and collector's docket number.	To whom referred.
Mar. 3, 1860	$3,871 30	C. Gignoux et al	Redfield	42	G.
Oct. 6, 1860	2,252 06	E. Warburg et al	do	361	G.
Apr. 15, 1860	4,266 33	J. W. Schulten et al	do	46	G.
Jan. 9, 1861	1,712 05	O. Zollikoffer et al	do	312	G.
Dec. 31, 1861	4,362 83	W. Brunner et al	do	310	G.
Nov. 7, 1864	6,911 15	C. F. Dambman et al	do	348	G.
June 22, 1860	4,050 39	J. H. Grund et al	do	295	G.
Apr. —, 1861	2,905 88	T. Passavant et al	do	363	G.
May —, 1861	1,707 58	S. Guillaume et al	do	357	G.
Nov. —, 1860	2,320 16	C. Payen et al	do	359	G.
Feb. —, 1864	272 49	E. B. Strange et al	do	349	G.
Mar. —, 1861	2,146 08	John Syz et al	do	368	G.
Apr. —, 1863	2,964 48	H. Lewis et al	do	345	G.
June —, 1861	1,031 59	F. A. Spies et al	Bronson	291	G.
June —, 1860	858 60	F. Schuchardt et al	Redfield	345	G.
Feb. —, 1864	567 42	M. Mitchell et al	do	555	G.*
June —, 1864	8,124 86	A. Lachaise et al	do	354	G.*
Mar. —, 1860	864 59	J. W. Schulten et al	Bronson	29	G.*
Apr. —, 1861	2,288 68	W. Loeschigh et al	do	294	G.*
Feb. —, 1866	498 32	L. Grossman et al	Schell	1095	G.*
Aug. —, 1865	1,232 95	E. Warburg et al	do	887	G.*
Mar. —, 1865	707 75	C. Payen	Barney	2161	G.
Jan. —, 1865	1,580 68	F. Schuchardt et al	Schell	528	G.

* New adjustment now at department not paid.

52.

Reopened March 7, 1877.

Mar. —, 1866	5,534 15	P. A. H. Renauld et al	Barney	2018	
Dec. —, 1863	10,890 56	do	Schell	514	
Apr. —, 1864	10,682 95	do	Redfield	566	

Suits in the charges and commissions cases in New York, &c.—Continued.

53.

Pending suits without verdicts or references.

Date of suit.	Plaintiff.	Defendant.	United States attorney and collector's docket number.	When paid.	To whom referred.
Oct. 25, 1862	O. Slate, jr	Redfield	859		D.
Oct. 31, 1862	G. B. Moorwood	do	873		D.
Oct. 31, 1862	R. C. Goodhue	do	874		D.
Oct. 31, 1862	J. H. Williams	do	876		D.
Dec. 4, 1862	F. Hathaway	do	936		D.
Dec. 27, 1862	H. Hirschfield	Barney	947		D.
Feb. 2, 1863	W. Loeschigk	do	995		D.
Feb. 6, 1863	W. H. Fogg	Redfield	1013		D.
June 17, 1863	H. Hirschfield	Barney	1368		D.
July 6, 1863	F. Butterfield	do	1389		D.
July 29, 1863	H. Hirschfield	do	1406		D.
Aug. 12, 1863	I. Benkard	Schell	1446		D.
Oct. 24, 1863	L. Waelfelaer	do	1543		D.
Nov. 11, 1863	W. Loeschigk	do	1587		D.
Nov. 27, 1863	W. Lobach	Redfield	1669		D.
Dec. 4, 1863	do	Schell	1734		D.
Dec. 31, 1863	H. Hirschfield	Barney	1868		D.
Jan. 9, 1864	C. Le Boutellin	Schell	1942		D.
Feb. 2, 1864	C. A. Auffmordt	Barney	2060		D.
Feb. 20, 1864	A. Ladewig	Schell	2171		D.
Feb. 18, 1864	C. E. Borsdorff	Barney	2185		D.
Feb. 18, 1864	George Christ	do	2193		D.
Feb. 18, 1864	J. Hess	do	2209		D.
Feb. 18, 1864	W. Loeschigk	do	2216		D.
Feb. 23, 1864	M. H. Swift	Schell	2296		D.
Dec. 5, 1865	J. Benkard	Barney	2978		D.

54.

NORTHERN DISTRICT OF NEW YORK, *ss:*

THE UNITED STATES OF AMERICA.

Circuit court of the United States for the northern district of New York, in the second circuit.

O. ANDREÆ ET AL. *vs.* H. J. REDFIELD.

B. ANDREÆ ET AL. *vs.* H. J. REDFIELD.

A. ARNOLD ET AL. *vs.* H. J. REDFIELD.

B. BABCOCK ET AL. *vs.* H. J. REDFIELD.

F. BERLY *vs.* H. J. REDFIELD.

C. E. BORSDORFF ET AL. *vs.* H. J. REDFIELD.

S. BOICEAU ET AL. *vs.* H. J. REDFIELD.

W. BRUNNER ET AL. *as.* H. J. REDFIELD.

L. CURTIS ET AL. *vs.* H. J. REDFIELD.

F. COTTENET ET AL. *vs.* H. J. REDFIELD.

F. COTTENET ET AL. *vs.* H. J. REDFIELD.

C. F. DAMBMANN ET AL. *vs.* H. J. REDFIELD.
H. DE GOER ET AL. *vs.* H. J. REDFIELD.
A. EDWARDS ET AL. *vs.* H. J. REDFIELD.
J. S. GOURD ET AL. *vs.* H. J. REDFIELD.
H. GOURD ET AL. *vs.* H. J. REDFIELD.
C. GIGNOUX ET AL. *vs.* H. J. REDFIELD.
C. GIGNOUX ET AL. *vs.* H. J. REDFIELD.
S. GUILLAUME ET AL. *vs.* H. J. REDFIELD.
C. D. HURD ET AL. *vs.* H. J. REDFIELD.
M. L. HALLOWELL ET AL. *vs.* H. J. REDFIELD.
H. HENNEQUIN ET AL. *vs.* H. J. REDFIELD.
L. HEIDENHEIMER ET AL. *vs.* H. J. REDFIELD.
A. ISELIN ET AL. *vs.* H. J. REDFIELD.
A. ISELIN ET AL. *vs.* H. J. REDFIELD.
D. LANE ET AL. *vs.* H. J. REDFIELD.
D. LANE ET AL. *vs.* H. J. REDFIELD.
J. LEHMAIER ET AL. *vs.* H. J. REDFIELD.
J. S. LITTLE ET AL. *vs.* H. J. REDFIELD.
WILLIAM LOESCHIGK ET AL. *vs.* H. J. REDFIELD.
WILLIAM LOESCHIGK ET AL. *vs.* H. J. REDFIELD.
WILLIAM LOESCHIGK ET AL. *vs.* H. J. REDFIELD.
H. LEWIS ET AL. *vs.* H. J. REDFIELD.
L. MUSEY ET AL. *vs.* H. J. REDFIELD.
T. PASSAVANT ET AL. *vs.* H. J. REDFIELD.
C. PAYEN ET AL. *vs.* H. J. REDFIELD.
C. PAYEN ET AL. *vs.* H. J. REDFIELD.
F. M. PEYSER *vs.* H. J. REDFIELD.
F. RUSCH ET AL. *vs.* H. J. REDFIELD.
F. RUSCH ET AL. *vs.* H. J. REDFIELD.
L. ROSENFELDT ET AL. *vs.* H. J. REDFIELD.
F. A. SPIES ET AL. *vs.* H. J. REDFIELD.
F. A. SPIES ET AL. *vs.* H. J. REDFIELD.
F. SCHUCHARDT ET AL. *vs.* H. J. REDFIELD.
JOHN W. SHULTEN ET AL. *vs.* H. J. REDFIELD.
J. STEINER ET AL. *vs.* H. J. REDFIELD.
A. SCHNIEWIND ET AL. *vs.* H. J. REDFIELD.
A. B. STRANGE ET AL. *vs.* H. J. REDFIELD.
A. B. STRANGE ET AL. *vs.* H. J. REDFIELD.

S. STRAHLHEIM ET AL. *vs.* H. J. REDFIELD.
JOHN SYZ ET AL. *vs.* H. J. REDFIELD.
A. B. THERIOTT *vs.* H. J. REDFIELD.
J. A. UBSDELL ET AL. *vs.* H. J. REDFIELD.
C. VYSE ET AL. *vs.* H. J. REDFIELD.
C. VYSE ET AL. *vs.* H. J. REDFIELD.
R. WALLER ET AL. *vs.* H. J. REDFIELD.
E. WARBURG ET AL. *vs.* H. J. REDFIELD.
A. WETTER *vs.* H. J. REDFIELD.
O. ZOLLIKOFFER ET AL. *vs.* H. J. REDFIELD.

EXHIBIT B.

Copies of orders of court and of reference in the charges and commissions cases in New York, and of other documents relating thereto.

14.

Copy of record of United States circuit court 1860, 1861, New York, southern district.

THURSDAY, *May* 2, 1876.

The court meets pursuant to adjournment, and is opened by proclamation.

Present, Judge Shipman.

M. MITCHELL ET AL.
vs.
HEMAN J. REDFIELD.

On motion of Mr. Griswold, ordered trial.

Jurors sworn: John N. Olcutt, James M. Andrews, Gustavus Lellin Peter O'Niell, Wilmot Oakley, Robert Waterman, John W. Mowbray, William K. Coit, Julius Waterman, Samuel C. Fiske, Albert Wolcott, Henry Vantrim.

Mr. Griswold opens the case on the part of the plaintiffs.

Evidence for the plaintiffs.

Isaac Phillips affirmed.
William H. Scott affirmed.

By consent of counsel, the jury find a verdict for the plaintiffs for the amount, with interest, of the difference between duties paid under protest on commissions at 2½ per cent., and such duties if levied on commissions at 2½ per cent. commission, on importations from Great Britain, except Yorkshire, the amount to be adjusted by the collector of customs at New York, and to be reported to the clerk of this court.

H. E. GILLELAN ET AL.
vs.
HEMAN J. REDFIELD.

Same counsel, same jury.

By consent of counsel, the jury find a verdict for the plaintiffs for the amount, with interest, of the difference between duties paid under pro-

test on commissions at 2½ per cent., and such duties if levied on commissions at 2 per cent. on all importations specified in the bill of particulars from the continent of Europe, except Paris, and also for the difference between duties on 2½ per cent. commission, and such duties if levied on 1½ per cent. commission on importations from Great Britain, except Yorkshire, the amount to be adjusted by the collector of customs at New York, and to be reported to the clerk of this court.

F. A. SPEES ET AL.
vs.
HEMAN J. REDFIELD.

On motion of Mr. Griswold, ordered trial.
Jurors sworn same as last.*

Evidence for plaintiffs.

William A. Laffingwate sworn.

By consent of counsel the jury find a verdict for the plaintiffs for the amount, with interest, of the difference between duties paid under protest on commissions at 2½ per cent., and such duties if levied on commissions at 2 per cent., on all importations specified in the bill of particulars, from the continent of Europe, except Paris, and a like verdict for the excess of duty paid under protest on the importations from the continent of Europe, specified in the bill of particulars, upon charges above those set forth in the report of Isaac Phillips, appraiser, dated October 13, 1856, the amount to be adjusted by the collector of customs at New York, and to be reported to the clerk of this court.

C. F. VON BLANHENSTYNE *vs.* HEMAN J. REDFIELD.
JOHN H. FISHER ET AL. *vs.* THE SAME.
H. I. LEWIS ET AL. *vs.* THE SAME.
P. S. HUGHES ET AL. *vs.* THE SAME.
JAMES ISLER *vs.* THE SAME.
F. M. JONES ET AL. *vs.* THE SAME.
E. KAUSSE ET AL. *vs.* THE SAME.
F. HOOSE ET AL. *vs.* THE SAME.
B. ANDRE ET AL. *vs.* THE SAME.
C. P. COCHRAN ET AL. *vs.* THE SAME.
H. BENDOR ET AL. *vs.* THE SAME.
I. ROSENTHAL ET AL. *vs.* THE SAME.
L. GUELLAMAN ET AL. *vs.* THE SAME.
F. H. REONOR ET AL. *vs.* THE SAME.
F. N. DALE *vs.* THE SAME.
A. S. ANSON *vs.* THE SAME.
I. M. DAVIS ET AL. *vs.* THE SAME.
G. C. BURR ET AL. *vs.* THE SAME.
A. LA CHAISE *vs.* THE SAME.

* One other case intervening, before the second or another jury.—J. W. D.

B. BABCOCK ET AL. *vs.* THE SAME.

A. LA CHAISE *vs.* GREENE C. BRONSON.

B. BABCOCK ET AL. *vs.* GREENE C. BRONSON.

W. LATTIMER ET AL. *vs.* HEMAN J. REDFIELD.

By consent of counsel, the jury find a verdict for the plaintiffs for the amount with interest of the difference between duties paid under protest, on commissions at 2½ per cent., and such duties if levied on commissions at 2 per cent. on all importations specified in the bill of particulars, from the continent of Europe, except Paris, and also for the difference between duties on 2½ per cent. commission, and such duties if levied on 1½ per cent. commission on importations from Great Britian except Yorkshire; and a like verdict for the excess of duty paid under protest on the importations from the continent of Europe, specified in the bill of particulars upon charges above these set forth in the report of Isaac Phillip, appraiser, dated ———, the amount to be adjusted by the collector of customs at New York, and to be reported to the clerk of this court.

15.

TUESDAY, *July* 16, 1861.

The court meets pursuant to adjournment and is opened by proclamation.

Present, Judge Shipman.

* * * * * * *

E. A. OELRICH ET AL.
vs.
HUGH MAXWELL.

THE SAME
vs.
GREENE C. BRONSON.

On motion of Mr. Dickenson, ordered trial.

Jurors sworn: Patrick Neill, Charles Fort, Thorion R. Butler, Wale B. Morrill, John M. Myers, John R. Reed, Hamilton Biggam, William Steinway, Joseph Black, Samuel D. Arthur, Daniel Sweeny, Philip J. Lockwood.

Evidence for the plaintiffs.

Robert Grant sworn.

The jury find a verdict for the plaintiffs for the amount, with interest, and the difference between duties paid under protest on commissions of 2½ per cent., and such duties if levied on commissions at 2 per cent. on all importations specified in the bill of particulars from Europe, except Paris; and a like verdict for the excess of duty paid under protest on such importations upon charges above that set forth in the report of Isaac Phillips, appraiser, dated ———, the amount to be adjusted by the collector of customs at New York, and to be reported to this court.

17.

Copy of record of United States circuit court, 1861 and 1862, southern district New York.

FRIDAY, *February* 21, 1862.

The court meets pursuant to adjournment and is opened by proclamation.

Present, Judge Shipman.

* * * * * * *

L. S. HASKELL ET AL. *vs.* H. J. REDFIELD.

THE SAME *vs.* AUGUSTUS SCHELL.

F. R. FOWLER ET AL. *vs.* H. J. REDFIELD.

THE SAME *vs.* AUGUSTUS SCHELL.

The same jury, and A. W. Griswold, plaintiffs' attorney.

By consent of counsel, the jury find a verdict for the plaintiffs in each of the above-entitled causes, for the amount of duty paid under protest on freight and charges from New Castle to London, from New Castle to Hull, and from Hull to London, upon merchandise imported in vessels embraced in the plaintiffs' bill of particulars in each of said causes, the amount to be adjusted by the collector of customs.

JAMES BONMAN ET AL. *vs.* H. J. REDFIELD.

THE SAME *vs.* G. C. BRONSON.

THE SAME *vs.* HUGH MAXWELL.

W. L. KING ET AL. *vs.* H. J. REDFIELD.

CHARLES I. STEDMAN *vs.* HUGH MAXWELL.

THE CLEVELAND AND PITTSBURGH RAILROAD COMPANY *vs.* H. J. REDFIELD.

The same jury. A. W. Griswold plaintiffs' attorney.

By consent of counsel, the jury find a verdict for plaintiffs in each of the above-entitled causes for the amount of duty paid under protest on freight and charges on iron and other merchandise from ports in Norway and Sweden to Hull, Hamburg, Bremen, or Antwerp, and on additions for freight and charges on pig-iron from Glasgow to Liverpool, or to make market value at Liverpool, and for additions for freight and charges on railroad iron from Wales to Liverpool and London, or to make market value at Liverpool and London on importations embraced in plaintiffs' bills of particulars in each of said causes, the amount to be adjusted by the collector of customs.

E. BREDT ET AL.
vs.
AUGUSTUS SCHELL.

Same jury and counsel.

By consent of counsel, the jury find a verdict for the plaintiffs in each of the above-entitled causes for the amount, with interest, of the excess of duties paid under protest on more than 2 per cent. commission on all importations specified in the bill of particulars in each cause from the continent of Europe, except Paris, and on more than 1½ per cent. commission on importations from Great Britain; and a like verdict for the excess of duty paid under protest on the importations from the continent of Europe specified in the bill of particulars in each cause, upon

charges above those set forth in the report of Isaac Phillips, appraiser, dated October 13, 1856. The amount in each case to be adjusted by the collector of customs at New York, and to be reported to the clerk of this court.

HENRY LEGER
vs.
AUGUSTUS SCHELL.
Same jury. Like verdict.

P. S. HUGHES ET AL.
vs.
THE SAME.
Same jury. Like verdict.

F. SCHUCHARDT ET AL.
vs.
THE SAME.
Same jury. Like verdict.

JAMES ISLER ET AL.
vs.
THE SAME.
Same jury. Like verdict.

C. PAYEN ET AL.
vs.
THE SAME.
Same jury. Like verdict.

I. M. DAVIES ET AL.
vs.
THE SAME.
Same jury. Like verdict.

E. A. OELRICHS ET AL.
vs.
AUGUSTUS SCHELL.
Same jury. Like verdict.

B. ANDRAS EL AL.
vs.
THE SAME.
Same jury. Like verdict.

F. PASSAVANT ET AL.
vs.
THE SAME.
Same jury. Like verdict.

H. E. GILLELAN ET AL.
vs.
THE SAME.
Same jury. Like verdict.

L. GUILLAUME
vs.
THE SAME.
Same jury. Like verdict.

W. BRUNNER ET AL.
vs.
AUGUSTUS SCHELL.
Same jury. Like verdict.

V. BARSALON ET AL.
vs.
AUGUSTUS SCHELL.
Same jury. Like verdict.

JOHN SYZ ET AL.
vs.
THE SAME.
Same jury. Like verdict.

W. LOTTIMER ET AL.
vs.
THE SAME.
Same jury. Like verdict.

A. H. RENAULD
vs.
THE SAME.
Same jury. Like verdict.

E. BLACKBURN ET AL.
vs.
THE SAME.
Same jury. Like verdict.

A. ISELIN ET AL.
vs.
THE SAME.
Same jury. Like verdict.

M. H. CASHMAN ET AL.
vs.
AUGUSTUS SCHELL.
Same jury. Like verdict.

J. B. WELLINGTON ET AL.
vs.
THE SAME.
Same jury. Like verdict.

CHARLES VYSE ET AL.
vs.
THE SAME.
Same jury. Like verdict.

F. A. SPIES ET AL.
vs.
THE SAME.

Same jury. Like verdict.

JUNE 9, 1862.

Judge Smalley present.

Several similar cases disposed of. The following words are a part of the verdict: "Verdicts for the plaintiffs in the above-entitled causes for excess of duties, with interest thereon, illegally exacted, and not paid under protest, and not barred by the statute of limitations," &c.

Also the same occurs in court June 26, 1862.

17 1-2.

Circuit court minutes.

OCTOBER 29, 1862.

FRED'K R. FOWLER ET AL.
vs.
H. J. REDFIELD.

This case coming on to be heard on exceptions to the clerk's report, and counsel on both sides having been heard and mature deliberations had, it is now ordered—

1st. That the allowance of interest from the time of the rendering of the verdict till the judgments was proper, this court having adopted the practice of the State courts.

2d. That the prospective protests were sufficiently explicit and direct to come within the act of Congress, as have already been decided in the Supreme Court and in this.

34 1-2.

United States circuit court, southern district of New York.

C. F. DAMBMANN ET AL.
vs.
AUGUSTUS SCHELL.
V. January 6, 1864.

A. ISELIN ET AL.
vs.
AUGUSTUS SCHELL.
V. February 26, 1864.

C. E. BORDSDORFF ET AL.
vs.
AUGUSTUS SCHELL.
V. February 26, 1864.

JOHN SYZ ET AL.
vs.
AUGUSTUS SCHELL.
V. February 26, 1864.

THOMAS COCHRAN ET AL.
vs.
AUGUSTUS SCHELL.
V. February 16, 1864.

E. KAUPE ET AL.
vs.
AUGUSTUS SCHELL.
V. May 27, 1864.

On reading and filing notices of motions in the above-entitled causes, affidavits of Almon A. Griswold, John C. Darrow, and A. Heydenreich, on the part of the plaintiffs in favor of said motion; and the consent of the attorneys of the respective parties to the entry of this order.

It is ordered, that it be referred to Hon. Edwards Pierrepont to ascertain and report to this court with all convenient dispatch, whether according to the verdicts in said causes heretofore had therein, anything, and if so, how much is due to the plaintiffs for duties on charges beyond the amounts awarded to the plaintiffs therefor by the former reports in said causes; such referee to proceed upon the usual notice to the defendants' attorney.

And it is further ordered, that the expense of such reference be paid by the plaintiffs in such causes.

And it is further ordered, that further action in this motion and all questions therein be, and are hereby, reserved until the coming in of said reports, and that said defendants in said several causes be then at liberty to oppose the motion on any ground that could be now urged against the same, upon affidavits or other proof, as they shall be advised, the said motion to be brought on upon due notice to the defendants' attorney in said causes.

Dated June 21, 1871.

SAM'L BLATCHFORD.

36.

United States circuit court for the southern district of New York.

TUESDAY, *April* 19, 1864.

The court meets pursuant to adjournment, and is opened by proclamation.

Present, Judge Hall.

On motion of Mr. Wilcoxson, by consent of counsel, the jury find verdicts for the plaintiffs in the above-entitled actions for excess of duties, with interest thereon, illegally exacted from plaintiffs, and paid under protest to defendant, and not barred by the statute of limitations.

On commissions over 1½ per centum on merchandise imported by plaintiffs at New York from Great Britain.

On commissions over 2 per centum on merchandise imported by plaintiffs at New York from the continent of Europe (except Paris).

On the discount of 2½ per centum disallowed on linens imported by plaintiffs at New York from Ireland.

On blankets imports by plaintiffs at New York, over 20 per centum *ad valorem*.

On velveteens, moleskins, corduroys, fustians, and embossed velvets, imported by plaintiffs at New York, over 20 per centum *ad valorem*.

On hemp carpetings imported by plaintiffs at New York, over 20 per centum *ad valorem*.

On coastwise transportation charges from Ireland and Scotland to England on merchandise imported by plaintiffs at New York from Ireland and Scotland via England, and on additions to make market-value of said merchandise at London and Liverpool.

On charges on merchandise imported by plaintiffs at New York for the transportation of the goods from the interior of the country by railroad or water-carriage incurred prior to the time of exportation.

On transportation charges from the continent of Europe to Great Britain on merchandise imported at New York from the continent of

Europe, via Great Britain, the amount of excess of duties exacted from the plaintiffs and paid to the defendant and embraced in the plaintiffs' bills of particulars, to be adjusted by the clerk of the court, or his deputy.

It is expressly stipulated that, in case it shall appear on an adjustment or otherwise in any case that the suit was not brought within the time prescribed by statute of limitations, or that the question of the timeliness of protest, or the question of a continuous or prospective protest shall be involved, the verdict shall be opened and opportunity to appeal be given to, and at the option of, the district attorney, a certificate of probable cause, &c., to be entered in each case. The right to appeal on writ of error, as above, not to be reserved by the district attorney unless the amount involved be sufficiently large to allow such writ of error.

New York, April 19, 1864.

E. DELAFIELD SMITH,
United States District Attorney, Defendants' Attorney.
KAUFMAN, FRANK & WILCOXSON,
Plaintiffs' Attorney.

On motion by E. Delafield Smith, of counsel for the respective plaintiffs in the above-entitled causes, George Bliss, esq., United States attorney, appearing for the several defendants, it is ordered, that the referee therein, in adjusting any of the above cases, shall not exclude from his report any item or items which were paid more than six years before the commencement of suit unless it shall appear that the statute of limitations was duly pleaded by the defendant in such case, and the referee is instructed to include such items in his reports and statements unless the statute has been pleaded.

But the defendant may, within thirty days after the service of bills of particulars in the cases in favor of C. C. Borsdorff *et al.*, William Loeschigk *et al.*, and J. A. Ubsdell *et al.*, make such application as he may be advised with a view of procuring to be determined the question whether the actions in favor of the same plaintiffs in which A. W. Griswold is attorney and those named herein are all entitled to be maintained against the defendant, and if all are not entitled to be so maintained, then of determining which shall be so maintained, and no proceedings shall be taken in such mentioned actions until said thirty days have expired.

37.

United States circuit court for the southern district of New York.

TUESDAY, *April* 19, 1864.

The court meets pursuant to adjournment, and is opened by proclamation.

Present, Judge Hall.

On motion of Mr. Wilcoxson, by consent of counsel, the jury find verdicts for the plaintiffs in the above-entitled actions for excess of duties with interest thereon illegally exacted from plaintiffs and paid under protest to defendant and not barred by the statute of limitations.

On commissions over 1½ per centum on merchandise imported by plaintiffs at New York, from Great Britain.

On commissions over 2 per centum on merchandise imported by plaintiffs at New York, from the continent of Europe (except Paris).

On the discount of 2½ per centum disallowed on linens imported by plaintiffs at New York, from Ireland.

On blankets imported by plaintiffs at New York, over 20 per centum *ad valorem*.

On velveteens, moleskins, corduroys, fustians, and embossed velvets, imported by plaintiffs at New York, over 20 per centum *ad valorem*.

On hemp carpetings imported by plaintiffs at New York, over 20 per centum *ad valorem*.

On coastwise transportation charges from Ireland and Scotland to England, on merchandise imported by plaintiffs at New York, from Ireland and Scotland, via England, and on additions to make market-value of said merchandise at London and Liverpool.

On charges on merchandise imported by plaintiffs at New York for the transportation of the goods from the interior of the country by rail-road or water carriage incurred prior to the time of exportation.

On transportation charges from the continent of Europe to Great Britain on merchandise imported at New York from the continent of Europe, via Great Britain, the amount of excess of dues exacted from the plaintiffs and paid to the defendant, and embraced in the plaintiffs' bill of particulars, to be adjusted by the clerk of the court or his deputy.

It is expressly stipulated that, in case it shall appear on an adjustment or otherwise in any case that the suit was not brought within the time prescribed by statute of limitations, or that the question of the timeliness of protest, or the question of a continuous or prospective protest shall be involved, the verdict shall be opened and opportunity to appeal be given to, and at the option of, the district attorney, a certificate of probable cause, &c., to be entered in each case. The right to appeal on writ of error, as above, not to be reserved by the district attorney, unless the amount involved be sufficiently large to allow such writ of error.

New York, April 19, 1864.

E. DELAFIELD SMITH,
United States District Attorney, Defendants' Attorney.
KAUFMAN, FRANK & WILCOXSON,
Plaintiffs' Attorney.

40.

On reading and filing the stipulation on behalf of the respective parties to the above, entitled actions, now pending in this court, to recover duties alleged to have been "illegally exacted upon charges and commissions," it appearing to the court that the assessment of the damage in each of the said several causes will require the examination of long accounts and of numerous invoices, entries, and other documents and papers, and the taking of the testimony of various witnesses touching the same:

Now, on motion of A. W. Griswold, esq., of counsel for the said several plaintiffs, Mr. Noah Davis, counsel for said several defendants, appearing and consenting thereto,

It is ordered by the said court, now here, that the said several causes be, and they are hereby, referred to Edwards Pierrepont, esq., as sole referee, to take proofs of and ascertain the claim of the plaintiff or plaintiffs in each of the said several causes, with interest, for excess of duties upon such charges and commissions which may be found to have been illegally exacted from plaintiffs and paid under protest to the defendants, and not barred by the statute of limitations, whenever the same has been pleaded, upon importations at the port of New York, specified in the several bills of particulars served in said several causes and now on file in said several causes.

The said referee shall proceed to determine and adjust the claims of the said several plaintiffs in accordance with the rules and decisions of this court in similar cases, so far as the same shall be found applicable to the said causes hereinabove named.

And it is further ordered that said referee state and report the amounts ascertained by him on said several charges and commissions separately, and the facts found by him in respect thereto and in respect to the protests touching the same.

That he give notice to the attorneys of the respective parties of the time and place of hearing therein, and that either party may, on the hearing before said referee, raise objections and exceptions, and the referee shall decide therein, and either party may bring such objections and exceptions to a hearing before the court after the report of such referee shall be filed, and for that purpose may require the referee to report the evidence or testimony taken in the case upon which the objection or exception arises in such manner as the court shall direct, and copies of the protests filed therein respectively.

That said referee shall report on such cases with all convenient dispatch, and on the coming in of such report and the decision of such exceptions as may be taken thereto by either party, either party shall be at liberty to move for judgment or verdict for the amount, as to the court shall seem meet.

And it is further ordered that the compensation of said referee shall be determined by the court, after the coming in of his said reports, at such amount as shall appear to such court to be just and proper.

A copy.

KENNETH G. WHITE, *Clerk.*

APRIL 22, 1871.

44.

OFFICE OF THE DISTRICT ATTORNEY OF THE U. S.,
FOR THE SOUTHERN DISTRICT OF NEW YORK,
New York, January 17, 1872.

SIR: I herewith inclose copy of an order of Judge Woodruff, filed April 19, 1872, referring to Edwards Pierrepont, esq., 133 cases pending in United States circuit court, to recover duties alleged to have been illegally exacted upon charges and commissions, wherein E. Delafield Smith, esq., appears as counsel for plaintiffs.

I inclose bills of particulars in a portion of these suits, to wit: Nos. 998, 1102, 1110, 1211, 1613, 1628, 1798, 1926, 1946, 1979, 2052, 2064, 2162, 2195, 2200, 2203, 2227, all old series.

I am, sir, your obedient servant,

NOAH DAVIS,
United States Attorney.

Hon. C. A. ARTHUR,
Collector of the Port.

United States circuit court, southern district of New York.

It is hereby stipulated and agreed that the order hereto annexed be entered by and with consent and direction of the court in each of the several above-entitled causes (135 in all), and that upon the entry of such order the said several causes stand referred to Edwards Pierrepont, esq., for the purposes and in the manner specified in said order.

E. DELAFIELD SMITH,
Attorney for the several Plaintiffs.
NOAH DAVIS,
Attorney for the Several Defendants.

On reading and filing the stipulation on behalf of the respective parties to the above-entitled actions, now pending in this court to recover duties alleged to have been illegally exacted upon charges and commissions, it appearing to the court that the assessment of the damages in each of the said several causes will require the examination of long accounts and of numerous invoices, entries, and other documents and papers, and the taking of the testimony of various witnesses touching the same:

Now, on motion of E. Delafield Smith, esq., of counsel for the said several plaintiffs, Mr. Noah Davis, counsel for said several defendants, appearing and consenting thereto,

It is ordered by the said court, now here, that the said several causes be, and they are hereby, referred to Edwards Pierrepont, esq., as sole referee, to take proof of and ascertain the claim of the plaintiff or plaintiffs in each of the said several causes, with interest, for excess of duties upon such charges and commissions which may be found to have been illegally exacted from plaintiffs and paid under protest to defendants, and not barred by the statute of limitations, whenever the same has been pleaded, upon importations at the port of New York, specified in the several bills of particulars served in said several causes and now on file in said several causes. The said referee shall proceed to determine and adjust the claims of the said several plaintiffs in accordance with the rules and decisions of this court in similar cases, so far as the same shall be found applicable to the said several causes hereinabove named.

And it is further ordered that said referee state and report the amount ascertained by him on said several commissions and charges separately, and the facts found by him in respect thereto and in respect to the protests touching the same. That he give notice to the attorney of the respective parties of the time and place of hearing therein, and that either party may, on the hearing before said referee, raise objections and exceptions, and the referee shall decide thereon, and either party may bring such objections and exceptions to a hearing before the court after the report of such referee shall be filed, and for that purpose may require the referee to report the testimony or evidence taken in the case upon which the objection or exception arises in such manner as the court shall direct, and copies of the protest filed therein respectively; and all questions as to the legality or sufficiency of any protest may be raised for the consideration of the court at any time after the coming in of such report as well as on the hearing. The said referee shall report on such cases with all convenient dispatch, and on the coming of such report and the decision of such exceptions as may be taken thereto by either party, either party shall be at liberty to move for judgment or verdict as to the court shall seem meet.

And it is further ordered that the compensation of said referee shall be determined by the court, after the coming in of his said reports, at such amounts as shall appear to such court to be just and proper.

L. B. WOODRUFF,
Circuit Judge.

45.

United States circuit court, southern district of New York.

It is stipulated and agreed that the order hereto annexed be entered by and with the consent and direction of the court in each of the several above-entitled causes (fifteen in all), and that upon the entry of such

order the said several causes stand referred to Hon. Edwards Pierrepont, for the purpose and in the manner specified in said order.

Dated August 8, 1872.

ALMON W. GRISWOLD,
Attorney for the several Plaintiffs.
NOAH DAVIS,
United States Attorney, Attorney for the several Defendants.

On reading and filing the stipulation on behalf of the respective parties to the above-entitled actions, now pending in this court, to recover duties alleged to have been illegally exacted upon charges and commissions, it appearing to the court that the assessment of the damages in each of the said several causes will require the examination of long accounts and of numerous invoices, entries, and other documents and papers, and the taking of the testimony of various witnesses touching the same:

Now, on motion of Almon W. Griswold, esq., counsel for the said several plaintiffs, Noah Davis, esq., counsel for said several defendants, appearing and consenting thereto,

It is ordered by the said court now here, that the said several causes be, and they are hereby, referred to Edwards Pierrepont, esq., as sole referee, to take proof of and ascertain the claims of the plaintiff or plaintiffs in each of the said several causes, with interest, for excess of duties upon such charges and commissions which may be found to have been illegally exacted from plaintiffs, and paid under protest to defendants, and not barred by the statute of limitations, wherever the same has been pleaded, upon importations at the port of New York, specified in the several bills of particulars served in said several causes, and now on file in said several causes. The said referee shall proceed to determine and adjust the claims of the said plaintiffs in accordance with the rules and decisions of the court in similar cases, so far as the same shall be found applicable to the said causes hereinbefore named.

And it is further ordered that said referee state and report the amount ascertained by him on said several commissions and charges separately, and the facts found by him in respect thereto, and in respect to the protest touching the same. That he give notice to the attorney of the respective parties of the time and place of hearing therein, and that either party may, on the hearing before said referee, raise objections and exceptions, and the referee shall decide thereon, and either party may bring such objections and exceptions to a hearing before the court after the report of such referee shall be filed, and for that purpose may require the referee to report the evidence or testimony taken in the case, upon which the objection or exception arises, in such manner as the court shall direct, and copies of the protests filed therein respectively. That said referee shall report on such cases with all convenient dispatch, and on the coming in of such report, and the decision of such exceptions as may be taken thereto by either party, either party shall be at liberty to move for judgment or verdict for the amount as to the court shall seem meet.

And it is further ordered that the compensation of said referee shall be determined by the court, after the coming in of his said reports, at such amount as shall appear to such court to be just and proper; and that a certificate of probable cause be given in each of the above-entitled causes.

Dated August 13, 1872.

SAMUEL BLATCHFORD.

Copy. KENNETH G. WHITE, *Clerk.*

46.

A motion having come on to be heard before this court in the above entitled causes to open the judgments therein—

Now, on reading and filing notice of motion dated July 12, 1873, and affidavits annexed of Almon W. Griswold, John C. Darrow, and Augustus Heidenreich on part of the plaintiffs, and Almon W. Griswold having been heard for the motion on the part of the plaintiffs, and George Bliss esq., United States district attorney, in opposition thereto, and due deliberation had,

It is ordered that the judgments entered in the above-entitled causes, upon the verdicts therein, be vacated, and the orders of reference made therein revoked, and that the assessment of the plaintiffs' damages under the verdicts in said causes be referred to Edwards Pierrepont, esq., as sole referee.

And it is further ordered that the referee proceed to adjust *de novo* the plaintiff's damages under said verdicts in accordance therewith, and from the amounts found due, if any, he deduct the sums paid upon the judgment heretofore entered in each of said cases respectively, and that he report the balance, if any, found due the plaintiffs in each of said causes. The said referee shall give notice to the attorneys of the respective parties of the time and place of hearing therein, and either party may on the hearing raise objections, and said referee shall decide thereon, and either party may file exceptions to such decision of the referee within two days after the filing of the referee's report, and bring them to a hearing before the court upon four days' notice.

Dated August 13, 1873.

SAML. BLATCHFORD.

KENNETH G. WHITE, *Clerk.*

By consent of counsel, it is further ordered that the fees of the referee hereinabove named shall be paid by the plaintiffs in said several causes, and shall in no case be taxed as costs against the defendants.

46 1-2.

Circuit court of the United States for the southern district of New York.

H. M. AVERY ET AL. *vs.* AUGUSTUS SCHELL.

WM. M. BLISS ET AL. *vs.* THE SAME.

R. P. BRUFF ET AL. *vs.* THE SAME,

D. W. CATLIN ET AL. *vs.* THE SAME.

JAMES DUNCAN *vs.* THE SAME.

E. GREEF ET AL. *vs.* THE SAME.

CHAS. ABERNATHY ET AL. *vs.* AUGUSTUS SCHELL.

H. J. BAKER ET AL. *vs.* THE SAME.

W. CARTER ET AL. *vs.* THE SAME.

THOS. DREW ET AL. *vs.* THE SAME.

WM. GRAYDON ET AL. *vs.* THE SAME.

J. C. HENDERSON ET AL. *vs.* THE SAME.

H. HENNEQUIN ET AL. *vs.* AUGUSTUS SCHELL.

H. B. CLAFLIN ET AL. *vs.* THE SAME.

R. LAMB ET AL. *vs.* THE SAME.
J. I. OSBORNE ET AL. *vs.* THE SAME.
H. SCHAUDORF ET AL. *vs.* THE SAME.
S. W. LEARS ET AL. *vs.* THE SAME.
E. J. SHERMAN ET AL. *vs.* HEMAN J. REDFIELD.
G. F. HEGE ET AL. *vs.* AUGUSTUS SCHELL.
W. H. HERSHMAN ET AL. *vs.* THE SAME.
A. NOEL ET AL. *vs.* THE SAME.
G. W. PLATT ET AL. *vs.* THE SAME.
W. H. SCOTT ET AL. *vs.* THE SAME.
C. L. SHARPLESS ET AL. *vs.* THE SAME.
E. S. SHERMAN ET AL. *vs.* THE SAME.
F. SKINNER ET AL. *vs.* AUGUSTUS SCHELL.
R. A. WITHAUS ET AL. *vs.* AUGUSTUS SCHELL.

On motion of Wm. M. Evarts, esq., of counsel for the respective plaintiffs in the above-entitled causes, George Bliss, esq., United States attorney, appearing for the several defendants and opposing,

It is ordered that the referee therein in adjusting any of the above cases shall not exclude from his report any item or items for the reason that said item or items were paid more than six years before the commencement of suit unless it shall appear that the statute of limitations was duly pleaded by the defendant in such case, and the referee is instructed to include such items in his reports and statements unless the statute has been pleaded, as aforesaid.

Dated June 8, 1874.

SAML. BLATCHFORD.

A copy.

KENNETH G. WHITE, *Clerk.*

47.

United States circuit court, southern district of New York.

It is stipulated and agreed that the order hereto annexed be entered by and with the consent and direction of the court, in each of the above-entitled causes (fifty-nine in all), and that upon the entry of such order the said several causes stand referred to John I. Davenport, esq., for the purposes and in the manner specified in such order.

Dated November 13, 1874.

ALMON W. GRISWOLD,
Attorney for Plaintiffs in each of said causes.
GEORGE BLISS,
Attorney for Defendant in each of said causes.

A copy.

KENNETH G. WHITE, *Clerk.*

On reading and filing the stipulations on behalf of the respective parties to the above-entitled actions, now pending in this court, to recover duties alleged to have been illegally exacted upon charges and commissions, it appearing to the court that the assessment of the dam-

ages in each of the said several causes will require the examination of long accounts, and of numerous invoices, entries, and other documents and papers, and the taking of the testimony of various witnesses touching the same,

Now, on motion of A. W. Griswold, of counsel for the said several plaintiffs, George Bliss, esq., counsel for said several defendants, appearing and not objecting thereto,

It is ordered by the said court now here that the said several causes be, and the same are hereby, referred to John I. Davenport, esq., as sole referee, to take proofs of and ascertain the claims of the plaintiff or plaintiffs in each of the said several causes, with interest, for excess of duties upon such charges and commissions which may be found to have been illegally exacted from plaintiffs and paid under protest to defendauts, and not barred by the statute of limitations, whenever the same has been pleaded, upon importations at the port of New York, specified in the several bills of particulars served, or to be served, in said several causes. The said referee shall proceed to determine and adjust the claims of the said several plaintiffs in accordance with the rules and decisions of this court in similar cases, so far as the same shall be found applicable to the said causes hereinabove named.

And it is further ordered that said referee state and report the amounts ascertained by him on said several commissions and charges separately, and the facts found by him in respect thereto and in respect to the protests touching the same. The said referee shall give notice to the attorneys of the respective parties of the time and place of hearing therein, unless such notice shall be waived by said attorney, and that either party may on the hearing before said referee raise objections and exceptions, and the referee shall decide thereon, and either party may bring such objections and exceptions to a hearing before the court after the report of such referee shall be filed, and for that purpose may require the referee to report the evidence or testimony taken in the case upon which the exception or objection arises, in such manner as the court shall direct, and copies of the protest filed therein respectively. That said referee shall report on such cases with all convenient dispatch, and on the coming in of such report, and the decision of such exceptions as may be taken thereto by either party, either party shall be at liberty to move for judgment or verdict for the amount as to the court shall seem meet.

And it is further ordered that the compensation of said referee shall be determined by the court after the coming in of his said report at such amount as shall appear to such court to be just and proper.

Dated December 4, 1874.

SAMUEL BLATCHFORD.

48.

United States circuit court, southern district of New York.

It is stipulated and agreed that the order hereto annexed be entered by and with the consent and direction of the court in each of the above-entitled causes, and that upon the entry of such order the said several causes stand referred to John I. Davenport, esq., for the purpose and in the manner specified in said order.

Dated January 19, 1875.

E. DELAFIELD SMITH,
Attorney for said Plaintiffs in each of said Causes.
GEO. BLISS,
Attorney for Defendants in each of said Causes.

On reading and filing the stipulation on behalf of the respective parties to the above-entitled actions now pending in this court to recover duties alleged to have been illegally exacted upon charges and commissions, it appearing to the court that the assessment of the damages in each of the several causes will require the examinations of long accounts, and of numerous invoices, entries, and other documents and papers, and the taking of the testimony of various witnesses touching the same:

Now, on motion of E. Delafield Smith, esq., of counsel for the said several plaintiffs, George Bliss, esq., counsel for said several defendants, appearing and not objecting thereto,

It is ordered by the said court now here that the said several causes be, and the same are hereby, referred to John I. Davenport, esq., as sole referee, to take proofs of and ascertain the claims of the plaintiffs in each of the said several causes, with interest, for excess of duties upon such charges and commissions which may be found to have been illegally exacted from plaintiffs, and paid under protest to defendants, and not barred by the statute of limitations, whenever the same has been pleaded, upon importations at the port of New York, specified in the several bills of particulars served, or to be served, in said several causes. The said referee shall proceed to determine and adjust the claims of the said several plaintiffs in accordance with the rules and decisions of this court in similar cases, so far as the same shall be found applicable to the said causes hereinabove named.

And it is further ordered that said referee state and report the amounts ascertained by him on said several commissions and charges separately, and the facts found by him in respect thereto, and in respect to the protests touching the same. The said referee shall give notice to the attorneys of the respective parties of the time and place of hearing therein, unless such notice shall be waived by said attorneys, and that either party may, on the hearing before said referee, raise objections and exceptions, and the referee shall decide thereon, and either party may bring such objections and exceptions to a hearing before the court after the report of said referee shall be filed, and for that purpose may require the referee to report the evidence or testimony taken in the case upon which the objection or exception arises, in such manner as the court shall direct, and copies of the protests filed therein respectively. The said referee shall report on such cases with all convenient dispatch, and on the coming in of said report, and the decision of such exceptions as may be taken thereto by either party, either party shall be at liberty to move for judgment or verdict for the amount as to the court shall seem meet.

And it is further ordered that the compensation of said referee shall be determined by the court after the coming in of his said report at such amount as shall appear to such court to be just and proper.

SAMUEL BLATCHFORD.

49.

Upon the orders heretofore made herein referring these actions to Edwards Pierrepont, esq., and upon reading and filing the affidavit of George Bliss, esq., and the stipulation on behalf of the respective parties to the above-entitled actions, now pending in this court, to recover duties alleged to have been illegally exacted upon charges and commissions, it appearing to the court that the assessment of the damages in each of the several causes will require the examination of long accounts and of numerous invoices, entries, and other documents and papers, and the taking of the testimony of various witnesses touching the same:

Now, on motion of George Bliss, esq., counsel for the several defend-

ants, and Almon W. Griswold and E. Delafield Smith, of counsel for the said several plaintiffs, appearing and not objecting thereto,

It is ordered by the said court now here that the orders heretofore made, referring the said several causes to Edwards Pierrepont, esq., be, and they are hereby, vacated and set aside, and the said causes are hereby referred to John I. Davenport, esq., as sole referee, to take proofs of and ascertain the claims of the plaintiff or plaintiffs in each of the said several causes, with interest, for excess of duties upon such charges and commissions which may be found to have been illegally exacted from plaintiffs and paid under protest to defendants, and not barred by the statute of limitations, whenever the same has been pleaded, upon importations at the port of New York, specified in the several bills of particulars served, or to be served, in said several causes. The said referee shall proceed to determine and adjust the claims of the said several plaintiffs in accordance with the rules and decisions of this court in similar cases, so far as the same shall be found applicable to the said causes hereinabove named.

And it is further ordered that said referee state and report the amounts ascertained by him on said several commissions and charges separately, and the facts found by him in respect thereto and in respect to the protests touching the same. The said referee shall give notice to the attorneys of the respective parties of the time and place of hearing therein, unless such notice shall be waived by said attorneys, and either party may on the hearing before said referee raise objections and exceptions, and the referee shall decide thereon, and either party may bring such objections and exceptions to a hearing before the court after the report of such referee shall be filed, and for that purpose may require the referee to report the evidence or testimony taken in the case upon which the objection or exception arises, in such manner as the court shall direct, and copies of the protests filed therein respectively. That said referee shall report on such cases with all convenient dispatch, and on the coming in of such report and the decision of such exceptions as may be taken thereto by either party, either party shall be at liberty to move for judgment or verdict for the amount as to the court may seem just.

And it is further ordered that the compensation of said referee shall be determined by the court after the coming in of his said reports at such amount as shall appear to such court to be just and proper.

Dated December 19, 1876.

SAML. BLATCHFORD.

United States circuit court.

F. BERLEY
vs.
AUGUSTUS SCHELL.

And 104 cases against late collector of this port.

SOUTHERN DISTRICT OF NEW YORK, *ss:*

George Bliss, being sworn, says that these actions were heretofore referred to Hon. Edwards Pierrepont; that on the appointment of Mr. Pierrepont as Attorney-General, that gentlemen notified deponent that he could not further serve as such referee, and requested that the order referring the cases to him might be vacated and the same referred to some one else; that deponent promised to procure the making of such

an order, but that before he had time to carry out his promise the Secretary of the Treasury stopped all proceedings in this class of actions, by directing that the questions involved should be presented to the Supreme Court of the United States; that within a few weeks this direction has been revoked, and deponent has been directed to proceed with the disposition of this class of cases. To that end it is important that a new referee in these cases should be appointed.

GEORGE BLISS.

Sworn to before me this 15th December, 1876.

J. M. DENEL,
United States Commissioner District of New York.

51.

United States circuit court, southern district of New York.

C. GIGNOUX ET AL. *vs.* HERMAN J. REDFIELD.
J. W. SCHULTEN ET AL. *vs.* HERMAN J. REDFIELD.
WM. BRUNNER ET AL. *vs.* HERMAN J. REDFIELD.
J. S. GOURD ET AL. *vs.* HERMAN J. REDFIELD.
S. GUILLAUME ET AL. *vs.* HERMAN J. REDFIELD.
E. B. STRANGE ET AL. *vs.* HERMAN J. REDFIELD.
E. WARBURG ET AL. *vs.* HERMAN J. REDFIELD.
O. ZOLLIKOFFER ET AL. *vs.* HERMAN J. REDFIELD.
C. F. DAMBMAN ET AL. *vs.* HERMAN J. REDFIELD.
T. PASSAVANT ET AL. *vs.* HERMAN J. REDFIELD.
C. PAYEN ET AL. *vs.* HERMAN J. REDFIELD.
JOHN LYZ ET AL. *vs.* HERMAN J. REDFIELD.
H. LEWIS ET AL. *vs.* HERMAN J. REDFIELD.
F. SCHUCHARDT ET AL. *vs.* HERMAN J. REDFIELD.
M. MITCHELL ET AL. *vs.* HERMAN J. REDFIELD.
A. LACHAISE ET AL. *vs.* HERMAN J. REDFIELD.
J. W. SCHULTEN ET AL. *vs.* GREENE C. BRONSON.
WM. LOESCHIGK ET AL. *vs.* GREENE C. BRONSON.
F. A. SPIES ET AL. *vs.* GREENE C. BRONSON.
L. GROSSMANN ET AL. *vs.* A. SCHELL.
E. WARBURG ET AL. *vs.* A. SCHELL.
C. PAYEN ET AL *vs.* H. BARNEY.
F. SCHUCHARDT ET AL. *vs.* A. SCHELL.

SIR: Please take notice that upon the annexed affidavits and copies of verdicts, a motion will be made before a judge of this court, on the 30th day of December, 1876, at eleven o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, that the judgments in the above-entitled causes be opened and the cases referred to a referee to ascertain and adjust the amounts due the plaintiff under the verdicts

in each of said cases respectively, and to report the facts so found by the referee to this court to be passed upon, and for such other and further relief as may be proper.

Dated December 27, 1876.

Yours, &c.,

ALMON W. GRISWOLD,
Plaintiffs' Attorney.

GEORGE BLISS, Esq.,
Defendants' Attorney.

United States circuit court, southern district of New York.

C. GIGNOUX ET AL.
vs.
H. J. REDFIELD.

(Here follows other cases, as set out on first page of this motion.)

SOUTHERN DISTRICT OF NEW YORK, *ss:*

Almon W. Griswold, being duly sworn, says that the above-entitled actions were brought to recover excess of duties paid on charges and commissions; that they came on for trial, and verdicts were rendered for the plaintiffs, and judgment entered thereupon, in the years 1860 to 1866; and that copies of the verdicts rendered in said causes are hereto annexed. That the adjustments in all the cases but three appear to have been made by the collector of customs, or Samuel G. Ogden, jr., auditor, at the custom-house in this city, and the other three cases by the clerk of the court, to whom the cases were referred for that purpose. That these adjustments were made by said collector of customs and by said auditor and clerk of this court, and the reports based thereon were duly filed and judgments entered thereon, and subsequently paid and satisfied of record, as follows, to wit:

In the cases of—

C. GIGNOUX ET AL. *vs.* H. J. REDFIELD, on March 3, 1860.

J. W. SCHULTEN ET AL. *vs.* H. J. REDFIELD, on April 5, 1860.

WM. BRUNNER ET AL. *vs.* H. J. REDFIELD, on December 30, 1861.

J. S. GOURD ET AL. *vs.* H. J. REDFIELD, on June 22, 1860.

S. GUILLAUME ET AL. *vs.* H. J. REDFIELD, on May 15, 1861.

E. B. STRANGE ET AL. *vs.* H. J. REDFIELD, on February 13, 1864.

E. WARBURG ET AL. *vs.* H. J. REDFIELD, on October 6, 1860.

O. ZOLLIKOFFER ET AL. *vs.* H. J. REDFIELD, on January 9, 1860.

C. F. DAMBMANN ET AL. *vs.* H. J. REDFIELD, on November 17, 1863.

T. PASSAVANT ET AL. *vs.* H. J. REDFIELD, on April 30, 1861.

C. PAYEN ET AL. *vs.* H. J. REDFIELD, on November 24, 1860.

JOHN LYZ ET AL. *vs.* H. J. REDFIELD, on March 20, 1861.

HENRY LEWIS ET AL. *vs.* H. J. REDFIELD, on April 15, 1863.

F. SCHUCHARDT ET AL. *vs.* H. J. REDFIELD, on June 9, 1860.

M. MITCHELL ET AL. *vs.* H. J. REDFIELD, on February 13, 1864.

A. LACHAISE ET AL. *vs.* H. J. REDFIELD, on June 10, 1864.

J. W. SCHULTEN ET AL. *vs.* GREENE C. BRONSON, on March 21, 1860.

WM. LOESCHIGK ET AL. *vs.* GREENE C. BRONSON, on April 9, 1861.
F. A. SPIES ET AL. *vs.* GREENE C. BRONSON, on June 7, 1861.
L. GROSSMAN ET AL. *vs.* AUG. SCHELL, on February 7, 1866.
E. WARBURG ET AL. *vs.* AUG. SCHELL, on August 18, 1865.
CHAS. PAYEN ET AL. *vs.* H. BARNEY, on March 22, 1865.
F. SCHUCHARDT ET AL. *vs.* A. SCHELL, on January 10, 1865.

That early in 1864 deponent discovered that in the first 14 of the above-entitled actions errors had been committed and items omitted in the adjustments, by which the plaintiffs in each had recovered less than the amounts due them under the verdicts, and for the purpose of recovering the amounts thus erroneously omitted in such adjustments and judgments, new actions were commenced against the defendant, Redfield, on the 19th day of May, 1864. To these actions the defendant interposes the plea of the statute of limitations, which defense deponent is apprehensive will prevail, and thereby defeat the plaintiff's claim; that as to the remaining cases this deponent had no knowledge or suspicion that the adjustments were not made in accordance with the verdicts, or that items embraced in the bills of particulars had been omitted, until the recent adjustment of the cases of Charles Payen *et al. vs.* Aug. Schell, Louis Grossman *et al. vs.* Herman J. Redfield, and William Lowschigk *et al. vs.* H. J. Redfield, and certain other cases, when it was discovered that mistakes had been made in the adjustment of the case of Charles Payen *vs.* Barney and L. Grossmann *vs.* Schell, William Lowschigk *et al. vs.* G. C. Bronson, and other cases, the verdicts in which were similar to those in the cases hereinabove named. Upon readjusting the verdicts in these cases first above mentioned it became necessary to examine the entries of the plaintiffs made to other collectors, and that disclosed the fact that omissions and mistakes had been made in the adjustment of those cases also, by omitting items embraced in bills of particulars; and also because of their not having been adjusted according to the verdict, one having been adjusted upon the basis of Phillips's report only, without the modification of Treasury instructions of May 21, 1863, as provided in said verdicts, while as to the first 22 of said cases the adjustments were not made according to Phillips's report, as provided in the verdicts given in said cases, and items were omitted.

Deponent further says that, by reason of the mistakes in the adjustments, there is still due the plaintiffs in the above-entitled causes a portion of the money due them under said verdict for excess of duty paid on charges and commissions, and that such amounts cannot be ascertained without an examination of all the invoices and entries, and for that purpose the judgments should be opened and the cases sent to a referee to have the amounts of the plaintiff's damages in said causes readjusted according to the verdicts so rendered therein.

Deponent says that all the facts in said cases are precisely similar to those in the cases of J. W. Schulten *et al. vs.* Aug. Schell, Louis Grossman *vs.* H. J. Redfield, C. Payen *et al. vs.* Aug. Schell, and in which the judgments were opened by order of this court in the first case on June 20, 1871, and in the other cases on August 13, 1873, and the cases referred to a referee and readjusted according to the verdict therein.

ALMON W. GRISWOLD.

Sworn before me this 27th day of December, 1876.

CHAS. LEE CLARKE,
Notary Public, New York County.

SOUTHERN DISTRICT OF NEW YORK:

Augustus Heydenreich, being duly sworn, says the adjustments in 20 of the above-entitled cases were made at the custom-house under the direction of the collector of the customs, or the auditor of the customs, and in three cases by the clerk of this court or his deputy.

Upon investigation, deponent finds that the adjustments in the above-entitled cases were not made according to the verdicts, and also that items were omitted in said adjustments which were embraced in the bills of particulars, and should have been included therein, and by reason of these errors and omissions the plaintiffs in said several actions have not received the full amount of their respective claims.

Deponent says these errors in the adjustments may be accounted for from the fact that at the time these verdicts were in course of adjustment a very large number of other verdicts, some of which differed from the verdicts in these cases, were also in course of adjustment, and the clerks employed on the work may have mistaken the form of verdict.

A. HEYDENREICH.

Sworn before me this 27th day of December, 1876.

CHAS. LEE CLARKE,
Notary Public, New York County.

United States circuit court.

C. GIGNOUX ET AL.
vs.
HERMAN J. REDFIELD

And 22 other causes.

SOUTHERN DISTRICT OF NEW YORK, *ss:*

Henry K. Murray, being duly sworn, says he is refund-clerk in the naval office, New York custom-house, and has been for near five years; that he has this day examined the entries, invoices, and papers in the case of William Lowschigk *et al. vs.* G. C. Bronsou, which was adjusted under the verdict on charges and commissions, and paid in the year 1861. That out of the entries by 74 vessels and steamers specified in the plaintiff's bill of particulars served in the case, 30 entries which should have been included in such adjustment were omitted, and no part of the excess of duty paid by the plaintiffs on those entries was refunded in that case or has been since.

Deponent further says that he was not refund-clerk at the time said case was adjusted.

H. K. MURRAY.

Sworn before me this 20th day of January, 1877.

A. HEYDENREICH,
Notary Public, Richmond County, New York.

C. GIGNOUX ET AL. *vs.* H. J. REDFIELD.

J. W. SHULTEN ET AL. *vs.* SAME.

SAME *vs.* G. C. BRONSON.

On motion of Mr. Griswold, for plaintiffs, verdict for the plaintiffs, subject to adjustment by Samuel Ogden, jr., as referee, for amount, with interest, of the difference between duties levied and paid under protest on commissions at 2½ per cent. and such duties if levied on commissions at 2 per cent. on all importations specified in the bill of particulars in this cause, from Sweden, Denmark, Norway, France, except Paris,

Switzerland, Germany, Netherlands, Prussia, and the cities of Bremen, Hamburg, and Antwerp; and a like verdict for the plaintiffs for any excess of duties levied and paid under protest as specified in the bill of particulars upon charges over and above those set forth in Exhibit D, being the report of Isaac Phillips, appraiser, mentioned and referred to in his testimony, except where the invoice may show that a higher rate of charges was actually paid.

(Date of verdict January 26, 1860.)

FRED. SCHUCHARDT ET AL. *vs.* H. J. REDFIELD.

WILLIAM BRUNNER ET AL. *vs.* H. J. REDFIELD.

H. GOURD ET AL. *vs.* H. J. REDFIELD.

S. GUELLAUME ET AL. *vs.* H. J. REDFIELD.

E. B. STRANGE ET AL. *vs.* H. J. REDFIELD.

E. WARBURG ET AL. *vs.* H. J. REDFIELD.

O. ZOLLIKOFFER ET AL. *vs.* H. J. REDFIELD.

W. LOWSCHIGK ET AL. *vs.* G. C. BRONSON.

Verdict for the plaintiffs for amount, with interest, of the difference between duties levied and paid under protest on commissions at 2½ per cent. and such duties if levied on commissions at 2 per cent. on all importations specified in the bill of particulars in this case, from Sweden, Norway, Denmark, and the continent of Europe, except Paris; and a like verdict for the plaintiffs for excess of duties levied and paid under protest upon importations specified in the bill of particulars upon charges above those set forth in Exhibit , being the report of Isaac Phillips, appraiser, and referred to in his testimony, except where the invoice may show that a higher rate of charges has been actually paid, and that it be referred to the collector of customs at New York to determine the amount for which judgment shall be entered according to this verdict, and report the same to this court.

(Date of verdict April 23, 1860.)

United States circuit court, southern district of New York.

T. PASSARANT *vs.* H. J. REDFIELD.

CHAS. PAYEN ET AL. *vs.* H. J. REDFIELD.

JOHN SYZ ET AL. *vs.* H. J. REDFIELD.

C. F. DAMBMANN ET AL. *vs.* H. J. REDFIELD.

F. A. SPIES ET AL. *vs.* G. C. BRONSON.

Verdict for the plaintiffs, subject to the opinion of the court, for amount, with interest, of the difference between duties levied and paid under protest on commissions at 2½ per cent. and such duties if levied on commissions at 2 per cent. on all importations specified in the bill of particulars, from Sweden, Norway, and the continent of Europe (except Paris); and a like verdict for the plaintiffs for excess of duties levied and paid under protest upon importations specified in the bill of particulars upon charges above those set forth in Exhibit , being the report of Isaac Phillips, appraiser, and referred to in his testimony, except where the invoices show that a higher rate of charges has been actually paid, and that it be referred to the collector of customs at New York to determine the amount for which judgment shall be entered according to this verdict, and report the same to the clerk of the court.

(Date of verdict May 11, 1860.)

United States circuit court, southern district of New York.

HENRY LEWIS ET AL. *vs.* H. J. REDFIELD.

A. LACHAISE ET AL. *vs.* H. J. REDFIELD.

By consent of counsel, jury find a verdict for the plaintiffs for the amount, with interest, of the difference between duties paid under protest on commissions at 2½ per cent., and such duties if levied on commissions at 2 per cent., on all importations specified in the bill of particulars from the continent of Europe (except Paris), and also for the difference between the duties on 2½ per cent. commission, and such duties if levied on 1½ per cent. commission, on importations from Great Britain, except Yorkshire, and a like verdict for excess of duty paid under protest on the importations from the continent of Europe specified in the bill of particulars upon charges above those set forth in the report of Isaac Phillips, appraiser, dated ———, the amount to be adjusted by the collector of customs at New York, and to be reported to the clerk of this court.

(Date of verdict May 2, 1861.)

United States circuit court, southern district of New York.

F. SCHUCHARDT ET AL.
vs.
AUG. SCHELL ET AL.

By consent of counsel, the jury find a verdict for the plaintiffs in each of the above-entitled cases for the amount, with interest, of the excess of duties paid under protest on more than 2 per cent. commissions for all importations specified in the bill of particulars in each case from the continent of Europe, except Paris, and on more than 1½ per cent. commissions on importations from Great Britain; and a like verdict for the excess of duty paid under protest on the importations from the continent of Europe, specified in the bills of particulars in each case, upon charges above those set forth in the report of Isaac Phillips, appraiser, dated October 13, 1856, the amount in each case to be adjusted by the collector of customs at New York, and to be reported to the clerk of this court.

(Date verdict February 21, 1862.)

United States circuit court, southern district of New York.

LOUIS GROSSMAN, SURVIVING PARTNER, ETC., *vs.* A. SCHELL.

E. WARBURG ET AL. *vs.* A. SCHELL.

By consent of counsel, jury find a verdict for the plaintiffs in each of the above-entitled causes for the amount, with interest, of the excess of duties paid under protest on more than 2 per cent. commissions on all importations specified in the bill of particulars in each cause from the continent of Europe, except Paris, and on more than 1½ per cent. commissions on importations from Great Britain; and a like verdict for the excess of duty paid under protest on the importations from the continent of Europe specified in the bill of particulars in each cause upon charges above those set forth in the reports of Isaac Phillip, appraiser, dated October 13, 1856, and of the several subsequent dates, the amount in each case to be adjusted by the clerk of this court or his deputy.

(Date of verdict April 10, 1863.)

United States circuit court, southern district of New York.

MAY 27, 1864.

CHARLES PAYEN ET AL.
vs.
H. BARNES.

Present, the Hon. Samuel Nelson, justice.

By consent of counsel, the jury find a verdict for the plaintiffs in the above cause for the amount, with interest, of the excess of duties paid under protest on more than 2 per cent. commissions on all importations specified in the bill of particulars in this cause, from the continent of Europe (except Paris), and no more than 1½ per centum commissions on importations from Great Britain; and a like verdict for the excess of duty paid under protest on the importations specified in the bill of particulars in this case, upon charges above those set forth in the reports of Isaac Philipps, appraiser, dated October 13, 1856, and of the several subsequent dates, as modified by the Treasury instructions dated May 21, 1863, the amount in this case to be adjusted by the clerk or his deputy, and that a certificate of probable cause be entered. In the event of this case involving the question of sufficiency of a prospective or continued protest, it is stipulated attorney may have the liberty to make a bill of exceptions and to take the question by appeal or writ of error to the Supreme Court, provided the amount involved admits of a review in the Supreme Court.

(Date of verdict May 27, 1864.)

Extract from minutes of court.

SATURDAY, *January* 27, 1877.

The court meets pursuant to adjournment, and is opened by proclamation.

Present, Judge Blatchford.

C. GIGNOUX ET AL
vs.
H. J. REDFIELD.

And 22 other cases (the same as those specified in this motion.

A motion having come on to be heard before the court in the above-submitted causes, to open judgment therein:

Now, on reading and filing notice of motion, dated December 27, 1876, and affidavits annexed, of A. W. Griswold and A. Heydenrich on the part of the plaintiffs, and A. W. Griswold having been heard for the motion on the part of the plaintiffs, and George Bliss, esq., United States district attorney, in opposition thereto, and due deliberation being had, it is ordered that the judgments entered in the above-submitted causes upon the verdicts therein be vacated, and that the assessments of the plaintiffs' damages upon the verdicts in said causes be referred to John I. Davenport, esq., as sole referee.

And it is further ordered that the referee proceed to adjust *de novo* the plaintiffs' damage under said verdicts in accordance therewith, and from the amounts found due, if any, he deduct the sums paid upon the judgment heretofore entered in each of said cases respectively, and that he report the balance, if any, found due the plaintiffs in each of said cases. The referee shall give notice to the attorneys of the respective parties of the time and place of hearing therein, and either party may on the hearing raise

objections, and said referee shall decide thereon, and either party may file exceptions to such decision of the referee within two days after the filing of the referee's report, and bring them to a hearing before the court upon four days' notice.

SAML. BLATCHFORD.

United States circuit court, southern district of New York.

O. S. 354.—A. LACHAISE ET AL. *vs.* HERMAN J. REDFIELD.—Com. November, 1, 1859.
O. S. 1095.—L. GROSSMAN *vs.* AUGUSTUS SCHELL.—April, 1863.
O. S. 29.—J. W. SCHULTEN ET AL. *vs.* GREENE C. BRONSON.—September 2, 1858.
O. S. 294.—WM. LOESCHIGK ET AL. *vs.* THE SAME.—October 12, 1859.
O. S. 349.—E. B. STRANGE ET AL. *vs.* HERMAN J. REDFIELD.—Com. November 1, 1859.
O. S. 312.—O. ZOLLIKOFFER ET AL. *vs.* THE SAME.—November 1, 1859.
O. S. 545.—H. LEWIS ET AL. *vs.* THE SAME.—September 21, 1860.

A motion having come on to be heard before this court in the above-entitled causes to open the judgments therein:

Now, on reading and filing notice of motion, dated December 27, 1876, and affidavits annexed, of Almon W. Griswold and A. Heydenrich on the part of the plaintiffs, and Almon W. Griswold having been heard for the motion on the part of the plaintiffs, and George Bliss, esq., United States district attorney, in opposition thereto, and due deliberation being had:

It is ordered that the judgments entered in the above-entitled causes upon the verdict therein be vacated, and that the assessments of the plaintiffs' damages, under the verdicts in said causes, be referred to John I. Davenport, esq., as sole referee. And it is further ordered that the referee proceed to adjust *de novo* the plaintiffs' damages under said verdicts in accordance therewith, and from the amounts found due, if any, he deduct the sums paid upon the judgment heretofore entered in each of said cases respectively, and that he report the balance, if any found due the plaintiffs, in each of said causes. The said referee shall give notice to the attorneys of the respective parties of the time and place of hearing therein, and either party may, on the hearing, raise objections, and said referee shall decide thereon, and either party may file exceptions to such decisions of the referee within two days after the filing of the referee's report, and bring them to a hearing before the court upon four days' notice.

(Dated January 26, 1877.)

SAML. BLATCHFORD.

The above is a copy of an order of reference made in each of the above-entitled causes on January 26, 1877.

JOHN I. DAVENPORT, *Clerk.*

52.

United States circuit court, southern district of New York.

PETER A. H. RENAULD ET AL. *vs.* HIRAM BARNEY.—O. S. 2018.
PETER A. H. RENAULD ET AL. *vs.* AUGUSTUS SCHELL.—O. S. 514.
PETER A. H. RENAULD ET AL. *vs.* HERMAN J. REDFIELD.—O. S. 566.

A motion having come on to be heard before this court in the above-n titled causes to open the judgments therein,

Now, on reading and filing notice of motion dated December 27, 1876,

and affidavits annexed, of Almon W. Griswold and A. Heydenreich, on the part of the plaintiffs. and on reading and filing notice of motion dated February 20, 1877, and affidavit annexed, of Almon W. Griswold, and Almon W. Griswold having been heard for the motion on the part of the plaintiff, and Stewart L. Woodford, esq., United States district attorney, in opposinion thereto, and due deliberation had,

It is ordered that the judgments entered in the above-entitled causes upon the verdicts therein be vacated, and that the assessments of the plaintiffs' damages under the verdicts in said causes be referred to John I. Davenport, esq., as sole referee.

And it is further ordered that the referee proceed to adjust *de novo* the plaintiff's damages under said verdicts in accordance therewith; and from the amounts found due, if any, he deduct the sums paid upon the judgments heretofore entered in each of said cases, respectively, and that he report the balance, if any, found due the plaintiffs in each of said causes.

The said referee shall give notice to the attorneys of the respective parties of the time and place of hearing therein, and either party may, on the hearing, raise objections, and said referee shall decide thereon; and either party may file exceptions to such decision of the referee within two days after the filing of the referee's report, and bring them to a hearing before the court upon four days' notice.

Dated March 7, 1877.

SAML. BLATCHFORD.

A copy.

JOHN I. DAVENPORT,
Clerk.

United States circuit court, southern district of New York.

PETER A. H. RENAULD ET AL. *vs.* HIRAM BARNEY.—O. S. 2018.
PETER A. H. RENAULD ET AL. *vs.* AUGUSTUS SCHELL.—O. S. 514.
PETER A. H. RENAULD ET AL. *vs.* HERMAN J. REDFIELD.—O. S. 556.

A motion having come on to be heard before this court in the above-entitled causes to open judgment therein,

Now, on reading and filing notice of motion dated December 27, 1876, and affidavits annexed, of Almon W. Griswold and A. Heydenriech, on the part of the plaintiffs, and on reading and filing notice of motion dated February 20, 1877, and affidavit annexed of Almon W. Griswold, and Almon W. Griswold having been heard for the motion on the part of the plaintiffs, and Stewart L. Woodford, esq., United States district attorney, in opposition thereto, and due deliberation had,

It is ordered that the judgments entered in the above-entitled causes upon the verdicts therein be vacated, and that the assessments of the plaintiffs' damages under the verdicts in said causes be referred to John I. Davenport, esquire, as sole referee.

And it is further ordered that the referee proceed to adjust *de novo* the plaintiffs' damages under said verdicts in accordance therewith, and from the amounts found due, if any, he deduct the sums paid upon the judgment heretofore entered, in each of said cases respectively, and that he report the balance if any, found due the plaintiffs in each of said causes. The said referee shall give notice to the attorneys of the respective parties of the time and place of hearing therein, and either party may on the hearing raise objections, and said referee shall decide thereon, and either party may file exceptions to such decision of the

referee, within two days after the filing of the referee's report, and bring them to a hearing before the court upon four days' notice.

Dated March 7, 1877.

SAML. BLATCHFORD.

A copy.

JOHN I. DAVENPORT, *Clerk.*

54.

James T. Griswold, in his affidavit verifying the list of Septimus Crook's importations, says that it was received by him at the custom-house on the 17th of March, 1856, and that it was his practice to immediately take such lists to the auditor, Mr. Ogden, for his indorsement, to have the entries and invoices brought to him from the record-room, and in pursuance thereof he sent such lists to the record-room.

Does such an indorsement by the auditor, Samuel G. Ogden, appear upon the court's list?

If this indorsement does not appear, there is no official recognition of the application, for it was clearly the duty of James T. Griswold, clerk, to bring the matter to the attention of the auditor, otherwise Almond W. Griswold could not avail himself of the rule of the Treasury Department, that where a claim for duties overpaid had been recognized as being a valid claim against the collector, an application had been made for its return, the statute ceased to run from the date of the application, as all subsequent time was taken by the government.

This date, 17th of March, 1856, is a remarkable one, from the fact that it is the date upon which A. W. Griswold alleges he filed lists in 64 other cases, in which suits were brought in the northern district against Herman J. Redfield, collector of customs from May, 1853, to July, 1857, to recover items barred by the statute of limitations, but which A. W. Griswold seeks to overcome by the convenient affidavits of James T. Griswold that lists were received by him at the custom-house on the 17th of March, 1856. A list of these 64 cases is appended, marked "A," and at a low estimate they will amount to $320,000.

If Mr. Griswold succeeds in having his motion granted in the Crooks case, he will use it as a precedent in these 64 cases; consequently the interest of the government, in the motion pending before Judge Blatchford, may be estimated at nearly $400,000.

The Crooks case, as well as these 64 cases, in all of which Mr. Griswold alleges he filed applications on the 17th of March, 1856, are unquestionably afterthoughts, for the following reasons, to wit:

At Boston, in May, 1855, Mr. Griswold, attorney for plaintiffs in the suit Warren *vs.* Peaslee, late collector of the port of Boston, obtained a decision, in the United States circuit court, that duties upon freight from Havre, &c., to Liverpool were illegal (2d Curtis, page 231). In pursuance of this decision, Mr. Griswold obtained from his clients lists of their importations upon which these illegal payments had been made, and applied to the collector at New York for the refunds paid under protests furnished by him in 1853, a copy of which protest will be found at page 234, 2d Curtis.

These lists are undoubtedly the ones relied upon in the sixty-four cases to recover items not contemplated at that time.

The custom-house records show that the refunds applied for at that time were made, and the claims were satisfied in pursuance of said lists, commencing in 1855, immediately after the Boston decision in May, 1855, and continuing through the years 1855, 1856, 1857, and 1858, as

appears by the annexed lists, marked "B," showing a portion of said refunds.

These suits, by A. W. Griswold, brought in this circuit, relative to questions of this character, were in 1859.

James T. Griswold was refunding-clerk at the custom-house from 1851 to 1866, when he was removed for suspicious intimacy with A. W. Griswold.

As the exactions for which these numerous lists were filed as alleged, March 17, 1856, ceased immediately after the decision of May, 1855, and as the refunds were made during 1855, 1856, 1857, and 1858, there can be no occasion for their further use.

The statement in the case of Crookes *vs.* Maxwell shows three items stricken out, as being barred by the statute of limitations.

Subsequently to these refunds without suits by the Treasury Department upon Havre and channel freight, in pursuance of the Boston decision of May, 1855, the Secretary of the Treasury, on the 30th of May, 1859, reduced the dutiable commission to 2 per cent. upon merchandise imported from the Continent of Europe (except Paris), which induced Mr. Griswold to bring suits that year (1859), and on the 16th of June, 1860, the Secretary of the Treasury also reduced the dutiable commission to 1½ per cent. upon merchandise imported from Great Britain; thus Mr. Griswold had merely to bring the Boston decision and the decision of the Treasury Department itself to the attention of the court to enable him to obtain verdicts upon questions which the Secretary of the Treasury was ready to refund without suit. These suits resulted in the following judgments being paid, obtained in behalf of the sixty-four importers for whom suits are now pending. (See annexed list, marked "C.")

These sixty-four suits are brought to obtain the benefit of decisions made years after the alleged date of filing the lists, 17th of March, 1856.

A.

The following are the titles of sixty-four suits brought by A. W. Griswold against Herman J. Redfield, late collector, &c., in the United States circuit court for the northern district of New York. (See printed list.)

That is all I can give you. The date of summons and amount sued for in each suit I cannot give you, for I have not got it. Messrs. Webster and Craig, the attorneys for Mr. Redfield, will be able to furnish you that information.

I remain yours, respectfully,

H. J. GLOWASKI.

B.

Sept.	27, 1855.	Benkard & Hutten	$1,717 30
Oct.	1, 1855.	Oelrich & Co	1,788 30
May	10, 1856.	C. E. Habecht & Co	702 90
June	19, 1856.	Naylor & Co	1,465 05
Aug.	29, 1856.	O. Oelrichs & Co	521 48
Nov.	13, 1856.	Naylor & Co	1,212 95
Jan.	7, 1857.	Schwienrud & Co	669 75
Jan.	7, 1857.	J. Lyz & Co	326 10
Jan.	9, 1857.	Loeschigk & Co	3,458 35
Feb.	4, 1857.	Andræ & Co	332 75
Feb.	4, 1857.	A. Iselin & Co	782 55

Feb.	9, 1857.	J. W. Schulten Hurd	$1,230 00
Feb.	18, 1867.	Schniewind & Co	187 40
Feb.	19, 1857.	Lachaise & Fauche	582 15
March	1, 1857.	Fischer & Brett	373 05
March	12, 1857.	A. Iselin & Co.	171 75
March	12, 1857.	Loeschigk & Co	
March	14, 1857.	Lachaise & Co	493 50
April	14, 1858.	H. Auffmudt & Co	363 95
April	14, 1858.	Goud, Freas & Co	264 90
April	13, 1858.	Spies, Christ & Jay	562 65
April	14, 1858.	L. & B. Curtis	308 65
May	4, 1858.	Guillaume, Fargo & Co	513 10
May	4, 1858.	Bowen, McNamee & Co	106 85
May	9, 1858.	Passavant & Co	963 90
May	20, 1858.	Blackburn & Brecking	96 00
June	13, 1858.	Lane, Lamson & Co	469 40
July	6, 1858.	Chas. Ahrenfeldt	293 70
June	29, 1858.	Lattimer, Large & Co	222 15
July	6, 1858.	Loeschigk & Co	1,574 40
July	6, 1858.	Souchard & Co	421 60
April	7, 1858.	Naylor & Co	122 85
April	7, 1858.	C. E. Habecht & Co	162 90
April	30, 1858.	W. Churchill, jr	22 40
July	6, 1857.	C. F. Dambman & Co	1,201 10
July	6, 1857.	Passavant & Co	430 40
Aug.	14, 1857.	W. L. Hallewell	78 55

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases in New York, from September* 13, 1855, *to February* 5, 1877.

Date of forwarding statement to Washington.	Parties.	Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
Sept. 13, 1855	Plasant & Fassitt	$106 50	Dec. 15, 1855	.....
Sept. 14, 1855	Benkard & Hutton	1,717 30	Sept. 27, 1855	.....
Sept. 17, 1855	Oelrichs & Co	1,718 30	Oct. 1, 1855	.....
Nov. 14, 1855	I. Zipcy	93 45	Feb. 19, 1856	.....
		3,635 55		
Mar. 12, 1856	Joseph Vaccari	1,210 58	Mar. 21, 1856	.....
Apr. 29, 1856	C. E. Habecht & Co	702 90	May 10, 1856	.....
May 23, 1856	Naylor & Co	1,465 05	June 19, 1856	.....
Feb. 27, 1856	J. Lehnair	5 15	July 12, 1856	.....
Aug. 8, 1856	Oelrich & Co	521 48	Aug. 28, 1856	.....
July 15, 1856	Rosengartin & Denis	3 80	Oct. 22, 1856	.....
Nov. 11, 1856	Naylor & Co	1,222 95	Dec. 11, 1856	.....
Dec. 15, 1856	Schniewind & Co	669 75	Jan. 7, 1857	.....
Dec. 19, 1856	Lyz, Irminger & Co	326 10	....do	.....
Dec. 29, 1856	W. Loeschigk & Co	3,458 35	Jan. 10, 1857	.....
		9,586 11		
Jan. 17, 1857	Andrae & Co	332 75	Feb. 4, 1857	.....
	A. Iselin & Co	782 55	....do	.....
Jan. 27, 1857	J. W. Shulten	1,230 00	Feb. 9, 1857	.....
Jan. 30, 1857	Schniewind & Co	187 40	Feb. 18, 1857	.....
Feb. 3, 1857	Lachaise & Fauche	582 15	Feb. 19, 1857	.....
Feb. 14, 1857	Fischer & Brendt	373 05	Mar. 1, 1857	.....
Feb. 24, 1857	A. Iselin & Co	171 75	Mar. 12, 1857	.....
	Loeschigk & Co	491 00	....do	.....

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases, &c.*—Continued.

Date of forwarding statement to Washington.	Parties.	Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
Mar. 3, 1857	Lachaise & Fauche	$493 50	Mar. 24, 1857	.....
Mar. 21, 1857	H. Auffmut & Co	363 95	Apr. 14, 1857	.....
Mar. 24, 1857	Gourd Frères & Co	264 90	....do	.....
Mar. 25, 1857	Spies, Christ & Jay	562 65	Apr. 13, 1857	.....
Apr. 10, 1857	Guillaume, Fargo & Co	513 10	May 4, 1857	.....
Apr. 18, 1857	Bowen & McNamee	106 85	....do	.....
Apr. 25, 1857	Passavant & Co	963 90	May 9, 1857	.....
Apr. 23, 1857	Blackburn & Burking	96 00	May 20, 1857	.....
May 16, 1857	Lane, Lawson & Co	469 40	June 13, 1857	.....
May 15, 1857	Charles Ahrenfeldt	293 70	July 6, 1857	.....
May 18, 1857	Lattimer, Large & Co	222 15	June 29, 1857	.....
May 26, 1857	W. Loeschigk & Co	1,574 40	July 6, 1857	.....
May 29, 1857	F. & H. Schuchardt	421 60	... do	.....
	A. Thomas & Co	178 25	....do	.....
June 22, 1857	C. F. Dambman & Co	1,201 10	July 28, 1857	.....
	Passavant & Co	430 40	....do	.....
July 10, 1857	M. L. Hallowell	78 55	Aug. 14, 1857	.....
Dec. 1, 1857	A. A. Low & Co	156 93	Dec. 17, 1857	.....
	Do	276 37	...do	.....
	Do	1,051 27	....do	.....
		13,869 62		
Feb. 3, 1858	Naylor & Co	122 85	Apr. 27, 1858	.....
Mar. 4, 1858	C. E. Habecht	162 90	....do	.....
Mar. 22, 1858	Schuchardt & Co	1,160 89	Apr. 2, 1858	.....
	Do	244 43	....do	.....
	Do	246 26	....do	.....
Mar. 30, 1858	William Churchill & Co	22 40	Apr. 30, 1858	.....
Apr. 13, 1858	Naylor & Co	252 90	May 12, 1858	.....
June 8, 1858	Do	566 69	July 16, 1858	.....
		2,779 32		
Apr. 4, 1859	Hardt & Co	31 44	June 30, 1859	.....
May 6, 1859	Do	80 16	June 11, 1859	.....
June 22, 1859	Bauendahl & Co	9 84	July 14, 1859	.....
Aug. 4, 1859	R. G. Fairchild	122 66	Sept. 2, 1859	.....
	Westray & Co	46 60	Aug. 30, 1859	.....
Dec. 21, 1859	Reise & Co	1,701 90	Dec. 31, 1859	.....
		1,992 60		
Jan. 6, 1860	Chase, Goodyear & Co	2,369 74	Jan. 23, 1860	322
Feb. 9, 1860	C. Gignoux & Co	653 28	Feb. 24, 1860	36
Feb. 24, 1860	Do	3,871 30	Mar. 3, 1860	42
Mar. 6, 1860	J. W. Schulten & Co	864 59	Mar. 21, 1860	29
Mar. 8, 1860	Munsell & Co	1,220 43	Mar. 31, 1860	.....
Mar. 22, 1860	J. W. Schulten & Co	4,266 33	Apr. 5, 1860	46
May 26, 1860	F. & H. Schuchardt	858 60	June 8, 1860	345
	Boody, Ross & Co	1,089 73	....do	24
	Toledo and Wabash Railroad	1,963 58	....do	25
June 6, 1860	Gourd, Frères & Co	4,053 39	June 22, 1860	295
July 2, 1860	W. Loeschigk & Co	11,008 54	July 31, 1860	367
July 9, 1860	Christ, Jay & Hess	2,193 72	July 23, 1860	51
Aug. 4, 1860	W. Loeschigk & Co	2,806 12	Aug. 18, 1860	442
Aug. 9, 1860	Christ, Jay & Hess	1,120 05	...do	200
Aug. 31, 1860	Spies, Christ & Jay.....Redfield	5,285 64	Sept. 21, 1860	.....
Sept. 27, 1860	E. Warburg & Co	2,252 06	Oct. 6, 1860	361
Oct. 16, 1860	C. F. Dambman & Co	658 79	Oct. 29, 1860	443
	V. Baesalen	1,682 89	....do	44
Nov. 15, 1860	C. Payen & Co	2,320 16	Nov. 24, 1860	359
Nov. 22, 1860	Ira Bliss	1,985 90	Jan. 9, 1861	536
	Ira Bliss & Co	244 86	....do	539
Dec. 11, 1860	Zollikoffer & Co	1,712 05	....do	312
		54,481 75		
Jan. 16, 1861	R. Irvin & Co	1,951 10	Jan. 16, 1861	538
Jan. 31, 1861	A. B. Thiriott	2,140 77	Feb. 19, 1861	554
Feb. 14, 1861	Borsdorff & Winter	1,774 94	Feb. 25, 1861	366
Feb. 26, 1861	C. Gignoux & Co	900 01	Mar. 13, 1861	430
Mar. 11, 1861	John Syz	2,146 08	Mar. 20, 1861	368
Mar. 19, 1861	E. M. Davies & Co	880 24	Apr. 6, 1861	48

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases, &c.*—Continued.

Date of forwarding statement to Washington.	Parties.	Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
Mar. 20, 1861	W. Loeschigk & Co	$2,288 68	Apr. 6, 1861	294
Apr. 6, 1861	C. G. Clark & Co	6,043 97	Apr. 24, 1861	197
	T. Passavant et al	2,905 88	Apr. 30, 1861	363
Apr. 20, 1861	Guillaume, F., & Co	1,707 58	May 15, 1861	357
May 13, 1861	Ira Bliss	185 08	June 7, 1861	608
May 17, 1861	H. Gourd et al	488 54	....do	293
May 18, 1861	F. A. Spies et al ..... Bronson	1,031 59	....do	291
	Do	597 05	....do	360
July 1, 1861	W. W. Gilbert	182 23	July 17, 1861	474
	Schnabel Bros	58 80	Sept. 2, 1861	.....
	Graydon Swaerurch & Co	183 29	....do	.....
July 15, 1861	C. A. Davis et al	21,086 72	Aug. 22, 1861	485
June 26, 1861	I. W. Schmidt & Co	81 33	Oct. 16, 1861	.....
Aug. 6, 1861	E. A. Oelrick & Co. (see verdict of July 16, 1861, page 6, Exhibit A).	691 43 227 44	Aug. 28, 1861 ....do	....
Aug. 23, 1861	W. W. Gilbert et al	15,355 35	Sept. 6, 1861	473
Sept. 4, 1861	John C. Brown	873 89	Sept. 23, 1861	70
	Do	240 12	....do	69
Sept. 10, 1861	Mitchell & Pott	4,312 16	Oct. 10, 1861	555
Sept. 20, 1861	Do	2,477 32	Oct. 19, 1861	.....
Sept. 28, 1861	J. C. Brown & Co	1,600 55	....do	68
	Joseph Fischer & Co	4,556 52	Oct. 21, 1861	No suit.
Nov. 9, 1861	B. Andrae & Co	2,882 24	Nov. 29, 1861	547
Nov. 16, 1861	J. B. Wellington & Co	1,771 75	Dec. 9, 1861	45
Nov. 21, 1861	J. A. Fischer & Co	32 94	May 23, 1862	.....
Dec. 13, 1861	W. Brunner & Co	4,362 83	Dec. 30, 1861	310
Dec. 19, 1861	H. Moulin	316 80	May 26, 1862	.....
Nov. 26, 1861	Sampson & Baldwin	1,085 16	Mar. 24, 1862	.....
		87,420 38		
Jan. 17, 1862	F. Girnbernat et al	2,216 58	Jan. 31, 1862	418
Jan. 25, 1862	B. Babcock et al	2,740 51	Apr. 16, 1862	292
Jan. 30, 1862	Fanshave, M & T	6,765 78	....do	.....
Feb. 21, 1862	H. E. Gillelan	1,062 12	Mar. 31, 1862	526
Mar. 3, 1862	Vose, Livingstone & Co	770 70	Sept. 5, 1862	.....
Apr. 5, 1862	George Ashton & Co	3,939 48	Apr. 21, 1862	423
Apr. 14, 1862	J. Bowman & Co	2,739 06	Apr. 26, 1862	839
Apr. 17, 1862	Keneys & Sampson	84 76	July 3, 1862	.....
Apr. 23, 1862	R. Irvin & Co	2,183 86	May 3, 1862	561
Apr. 25, 1862	B. Babcock & Co	920 65	May 10, 1862	680
Apr. 30, 1862	.....do	850 54	....do	681
May 24, 1862	B. Babcock	531 56	July 1, 1862	714
June 10, 1862	R. Irvin	273 84	July 19, 1862	.....
June 11, 1862	Des Arts & Heuson	184 13	Oct. 23, 1862	.....
July 19, 1862	Benkard & Hutton	2,321 22	Aug. 18, 1862	732
	Do	1,054 72	....do	744
Jnly 30, 1862	F. Butterfield et al	3,392 87	Sept. 1, 1862	711
Aug. 9, 1862	C. J. Stedman	560 24	Sept. 2, 1862	688
Aug. 22, 1862	The Cleveland and Pittsburgh Railroad	4,848 97	Sept. 23, 1862	682
Sept. 30, 1862	S. Crooks	5,001 38	Oct. 21, 1862	488
Oct. 23, 1862	L. S. Haskell et al ..... Redfield	270 70	Nov. 21, 1862	678
	L. S. Haskell et al ..... Schell	473 25	....do	673
Oct. 17, 1862	F. Butterfield ..... Redfield	4,036 62	Nov. 19, 1862	710
		47,223 54		
Jan. 7, 1863	James Tinker ..... Schell	4,910 86	Jan. 29, 1863	885
	Do ..... Barney	1,212 42	....do	883
Jan. 10, 1863	F. Butterfield ..... Schell	7,143 17	Feb. 11, 1863	717
	J. Cameron ..... Redfield	671 70	Jan. 30, 1863	727
Jan. 13, 1863	J. Bowman ..... Maxwell	5,150 19	Feb. 13, 1863	849
	Do ..... Redfield	6,541 30	....do	832
Jan. 14, 1863	F. R. Fowler ..... Schell	199 74	Feb. 4, 1863	672
Jan. 21, 1863	Do ..... Redfield	867 33	....do	676
Feb. 16, 1863	J. Bowman, J. B. Johnston & Co ..... Schell	6,875 12	Mar. 11, 1863	851
Feb. 19, 1863	Claflin, M. & Co ..... Redfield	5,502 52	Mar. 13, 1863	733
Feb. 27, 1863	P. Chateaux, jr ..... Schell	1,363 14	Mar. 20, 1863	768
Mar. 6, 1863	R. A. & G. H. Withaus ..... Redfield	944 74	....do	738
Mar. 9, 1863	C. Augrave ..... Schell	1,017 09	Apr. 1, 1863	724
	Morton & Grinnel ..... Redfield	3,941 43	Mar. 28, 1863	762
	Clapp, Kent & B ..... do	1,793 48	....do	730
	C. Augrave ..... do	980 96	Apr. 11, 1863	725
Mar. 13, 1863	Butt, Black & Guild ..... do	1,494 74	Apr. 2, 1863	728

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases, &c.*—Continued.

Date of forwarding statement to Washington.	Parties.	Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
Mar. 14, 1863	Naylor & Co., W. L. King.....Redfield..	$1,857 37	Mar. 31, 1863	47
Mar. 16, 1863	P. Chateaux, jr.....do....	15,363 60	July 31, 1863	476
Mar. 17, 1863	S. Crookes .....do....	6,132 37	Apr. 17, 1863	480
Mar. 25, 1863	Lewis Bros .....do....	2,964 48	Apr. 15, 1863	545
Apr. 2, 1863	Spies, Christ & Jay .....Schell..	613 62	....do	670
Apr. 3, 1863	Charles Rhind .....Redfield..	564 21	Apr. 20, 1863	837
	Butt, Black & Guild .....Schell..	2,783 25	....do	751
Apr. 4, 1863	Christ, Jay & Hess.....do....	1,524 35	....do	252
	H. B. Claflin .....do....	5,964 98	May 1, 1863	745
Apr. 8, 1863	L. O. Wilson & Co.....Redfield..	2,223 64	....do	788
Apr. 22, 1863	Sturgis, Shaw & Co. .....do....	5,645 84	July 31, 1863	764
Apr. 25, 1863	Raymond & Fullerton.....Maxwell..	21,815 96	May 7, 1863	487
	Sturgis, Shaw & Co .....Schell..	5,058 32	Aug. 14, 1863	825
Apr. 27, 1863	J. B. Johnston & Co.....Barney..	1,090 88	May 28, 1863	948
	A. Gihon .....Redfield..	4,372 80	Aug. 22, 1863	766
May 5, 1863	Clark & Jessup.....Bronson..	14,907 35	June 10, 1863	884
	P. Chateaux, jr., & Co.....do....	6,067 62	....do	557
	Charles J. Steadman.....do....	1,072 26	....do	838
	Raymond & Fullerton .....Redfield..	7,843 66	....do	559
May 5, 1863	S. Crookes .....Bronson..	7,486 04	June 10, 1863	482
	Raymond & Fullerton .....do....	8,700 08	....do	560
May 18, 1863	A. Iselin.....Redfield..	1,685 98	July 31, 1863	513
May 22, 1863	Charles Vyse & Co.....Schell..	6,237 47	July 24, 1863	671
June 9, 1863	Thomas Slocumb .....Redfield..	3,159 72	Aug. 22, 1863	797
	Theo. Dehon .....Schell..	906 72	July 11, 1863	.....
	Do.....Redfield..	1,760 77	.....	592
June 10, 1863	T. Slocum & Co., Stowell.....Schell..	4,528 51	Aug. 29, 1863	798
June 16, 1863	M. H. Cashman .....Redfield..	1,499 57	June 26, 1863	567
July 3, 1863	W. Brandt & Co .....do....	4,746 09	Aug. 29, 1863	729
June 14, 1863	L. P. Morton .....Schell..	641 57	Aug. 21, 1863	1030
July 24, 1863	W. Brandt & Co .....do....	3,274 80	Aug. 22, 1863	743
	W. M. Cashman.....do....	938 32	....do	516
July 28, 1863	E. H. Jacot .....Redfield..	1,236 24	Aug. 25, 1863	612
Sept. 2, 1863	V. Barsalon .....Schell..	2,250 06	Jan. 11, 1864	510
Sept. 15, 1863	L. P. Morton.....do....	3,946 54	Oct. 12, 1863	1034
Oct. 10, 1863	P. A. H. Renauld et al.....do....	10,890 56	Dec. 5, 1863	514
Oct. 16, 1863	Henry Meyer et al.....do....	382 04	Nov. 6, 1863	893
Oct. 17, 1863	C. Payen et al.....do....	901 17	Nov. 6, 1863	529
Oct. 26, 1863	Auffmordt et al., G. Hersenberg .....do....	510 58	Nov. 17, 1863	828
	Passavant et al .....do....	1,299 55	Dec. 5, 1863	532
Nov. 5, 1863	Baumdahl et al .....do....	2,723 43	Jan. 30, 1864	941
	John Syz et al .....do....	1,116 16	Nov. 28, 1863	517
Nov. 10, 1863	M. Maas .....Redfield..	392 93	Nov. 30, 1863	789
Nov. 12, 1863	E. H. Jacot.....Schell..	173 44	Dec. 9, 1863	1408
Nov. 13, 1863	H. Scherndorff.....do....	549 40	Nov. 10, 1863	827
	Schulten & Hurd .....do....	1,404 37	Jan. 11, 1864	1065
Dec. 18, 1863	M. Maas .....do....	528 54	Jan. 28, 1864	906
	H. E. Gillelan.....do....	2,776 55	Feb. 5, 1864	526
	S. Guillaume.....do....	2,022 42	Feb. 9, 1864	531
		237,146 11		
Jan. 18, 1864	W. Watson .....Redfield..	5,703 27	Feb. 22, 1864	734
Jan. 19, 1864	M. Mitchell.....do....	567 42	Feb. 13, 1864	754
	A. Iselin et al.....Schell..	1,933 98	....do	653
	E. B. Strange et al .....Redfield..	379 79	....do	353
Jan. 27, 1864	W. Watson et al .....Schell..	6,303 53	Feb. 18, 1864	748
	E. B. Strange .....Redfield..	272 49	Feb. 3, 1864	349
Feb. 22, 1864	G. H. Stewart et al.....do....	910 34	Mar. 16, 1864	861
	P. A. H. Renauld.....do....	10,682 95	Apr. 7, 1864	566
Mar. 4, 1864	Geo. A. Stewart et al .....Schell..	2,331 49	Apr. 11, 1864	881
	J. A. Henderson .....do....	1,577 29	Apr. 4, 1864	1234
Mar. 9, 1864	G. F. Heye.....Redfield..	462 99	Apr. 1, 1864	930
Mar. 19, 1864	J. H. Massett.....Maxwell..	11,742 92	Apr. 21, 1864	484
Mar. 31, 1864	Wellington Clapp et al.....Schell..	605 76	....do	746
Apr. 12, 1864	G. G. Sampson .....do....	8,401 77	June 2, 1864	719
Apr. 19, 1864	G. D. Parish .....do....	1,932 88	June 10, 1864	880
	Do.....Redfield..	165 82	....do	863
	V. Thirion ..... Schell..	2,145 14	May 28, 1864	1381
Apr. 25, 1864	Warren Carter et al.....Redfield..	652 75	June 10, 1864	791
Apr. 29, 1864	J. Goodband .....do....	638 42	....do	760
	A. Lachaise et al.....do....	8,124 86	....do	354
May 16, 1864	J. H. Hardt et al.....do....	1,401 20	June 7, 1864	929
May 26, 1864	Thomas Fielding et al .....do....	359 54	June 18, 1864	816

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases, &c.*—Continued.

Date of forwarding statement to Washington.	Parties.	Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
July 8, 1864	F. Vietor et al ..... Redfield..	$1,041 63	Aug. 4, 1864	927
	H. Strusberg et al ..... Schell..	2,422 73	Aug. 5, 1864	942
	W. Lattimer et al ..... Redfield..	8,687 25	Aug. 15, 1864	364
	Thomas Fielding et al ..... Schell..	491 36	Aug. 1, 1864	901
	E. Robins ..... Redfield..	389 79	Aug. 1, 1864	763
	J. B. Hall ..... do....	223 61	Aug. 1, 1864	803
July 9, 1864	J. Lord ..... Schell..	1,079 59	Aug. 15, 1864	946
	J. Houldsworth et al ..... do....	1,172 31	Aug. 12, 1864	750
	J. B. Hall et al ..... do....	704 16	....do	898
July 29, 1864	C. F. Dambmann ..... Redfield..	6,911 15	Nov. 17, 1864	348
Aug. 28, 1864	W. M. Bliss ..... do....	2,213 18	Sept. 14, 1864	808
	G. B. Reise et al ..... Schell..	906 66	....do	899
Sept. 3, 1864	R. Nicol ..... do....	1,023 47	Sept. 22, 1864	752
	W. M. Gawtry ..... do....	813 85	....do	918
Oct. 6, 1864	C. G. Bour et al ..... Redfield..	5,025 51	Nov. 14, 1864	356
Oct. 8, 1864	F. Butterfield et al ..... Schell..	1,982 33	Oct. 28, 1864	718
	G. B. Reise et al ..... Redfield..	346 55	Oct. 21, 1864	904
	Platt & Bro ..... do	214 07	Oct. 21, 1864	795
	Robert Nicol ..... do....	396 65	Oct. 21, 1864	731
Oct. 11, 1864	H. Mouhn ..... Schell..	1,045 53	Oct. 28, 1864	1617
Oct. 24, 1864	C. Dord et al ..... do....	5,762 05	Dec. 1, 1864	1236
Nov. 7, 1864	H. G. Ely et al ..... Redfield..	561 45	Nov. 25, 1864	794
Nov. 10, 1864	S. Crookes ..... do....	1,289 23	Dec. 21, 1864	1378
Nov. 25, 1864	F. Skinner ..... do....	2,146 41	Dec. 30, 1864	786
Dec. 3, 1864	W. Loeschigk et al ..... Schell..	2,249 76	Dec. 24, 1864	2455
	C. Gignoux et al ..... do....	1,919 60	Jan. 4, 1865	2028
	Do ..... Barney..	730 02	....do	2250
	V. Fanche ..... Schell..	3,777 79	Dec. 24, 1864	2025
	C. Payen et al ..... do....	2,342 71	Dec. 23, 1864	2033
	A. Lachaise et al ..... Bronson..	2,230 47	Dec. 22, 1864	290
	H. G. Ely et al ..... Redfield..	165 28	Dec. 20, 1864	793
Dec. 8, 1864	F. Schuchardt et al ..... Schell..	1,580 68	Jan. 10, 1865	528
	C. Dord et al ..... Redfield..	6,504 37	Dec. 30, 1864	356
Dec. 9, 1864	W. Loeschigk et al ..... Schell..	2,252 49	....do	2032
Dec. 20, 1864	A. Iselin et al ..... Barney..	750 80	Jan. 6, 1865	792
	W. Lattimer et al ..... Schell..	10,563 53	Jan. 4, 1865	511
Dec. 29, 1864	D. M. Mellis et al ..... Redfield..	4,766 52	Jan. 12, 1865	821
	C. F. Dambman ..... Schell..	2,479 94	Jan. 16, 1865	1262
	F. Hoose ..... Redfield..	930 15	Jan. 13, 1865	544
		157,391 23		
Jan. 10, 1865	W. Loeschigk et al ..... Barney..	1,842 96	Feb. 15, 1865	2256
	C. F. Dambman ..... do....	1,081 82	Jan. 30, 1865	2249
	M. Maas ..... Schell..	314 21	....do	57
	J. M. Beebe et al ..... Redfield..	415 33	Jan. 28, 1865	856
	Do ..... Schell..	435 74	....do	878
Jan. 20, 1865	H. J. Baker & Bro ..... Redfield..	567 66	Feb. 4, 1865	933
	J. J. Osborn ..... do....	964 09	....do	765
Jan. 21, 1865	Thomas Monroe et al ..... do....	751 29	....do	790
	Loeschigk et at ..... Schell..	1,954 59	Feb. 13, 1865	2615
Jan. 31, 1865	William Weise ..... Redfield..	134 53	Feb. 11, 1865	864
	Do ..... Schell..	256 26	....do	879
	J. A. Fischer et al ..... Redfield..	3,623 37	Feb. 16, 1865	556
Feb. 15, 1865	E. Kaupe et al ..... do....	3,849 48	Mar. 21, 1865	543
Feb. 25, 1865	H. A. Smythe et al ..... Schell..	1,716 00	Mar. 14, 1865	800
Mar. 7, 1865	C. Payen et al ..... Barney..	707 75	Mar. 21, 1865	2261
	E. Douglass et al ..... Redfield..	126 52	Mar. 23, 1865	895
	E. Armstrong et al ..... do....	193 66	....do	802
	Do ..... Schell..	1,058 90	....do	902
	W. H. Scott et al ..... Redfield..	136 78	....do	867
	Do ..... do....	421 62	....do	868
	H. P. Murray et al ..... do....	35 03	....do	865
	Do ..... Schell..	128 94	....do	900
	I. Badnall et al ..... Redfield..	280 94	....do	804
	Do ..... Schell..	214 61	....do	897
Mar. 13, 1865	L. & B. Curtis et al ..... Barney..	1,654 51	Apr. 7, 1865	815
	W. Brunner ..... Schell..	3,557 72	Apr. 8, 1865	524
	V. Thurin et al ..... Redfield..	2,395 19	May 1, 1865	1375
	C. F. Van Blankknstyn et al ..... do....	708 94	Apr. 7, 1865	314
	W. Lattimer et al ..... Barney..	2,240 73	Apr. 8, 1865	2257
Mar. 17, 1865	F. Hemsly et al ..... Redfield .	1,165 73	Apr. 7, 1865	787
	R. A. Withaus et al ..... Schell..	4,117 11	Apr. 10, 1865	877
Mar. 22, 1865	J.C. Henderson ..... Redfield..	1,137 16	....do	796

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases, &c.*—Continued.

Date of forwarding statement to Washington.	Parties.	Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
Mar. 24, 1865	John Hope et al.....Redfield..	$229 51	Apr. 10, 1865	809
Mar. 31, 1865	John Hughes .....do....	647 05	Apr. 18, 1865	805
Apr. 1, 1865	C. P. Cochrane et al.....do....	13, 846 11	Apr. 17, 1865	313
Apr. 11, 1865	T. N. Dall et al.....Schell..	1, 618 43	May 1, 1865	1036
	H. M. Avery et al.....Redfield	435 21	....do	817
	S. D. Mills et al.....do....	240 21	....do	871
	L. Sampson et al .....do....	246 40	....do	819
	S. L. Bush et al .....do....	489 60	....do	761
	L. D. Senat et al.....do....	357 68	....do	857
	Do .....do....	350 06	....do	858
Apr. 26, 1865	Do .....Schell..	1, 018 00	May 12, 1865	882
	J. M. Davis .....do....	1, 611 27	....do	533
	H. Lewis et at.....do....	2, 381 47	May 16, 1865	749
May 2, 1865	R. A. Withaus et al .....Redfield..	4, 088 69	May 22, 1865	362
	J. B. Wellington et al.....Schell..	1, 329 77	May 18, 1865	515
May 3, 1865	T. W. Evans et al..... .....Redfield..	330 70	May 20, 1865	862
	Do .....Schell..	793 12	....do	905
	Union Adams.....Redfield..	28 19	....do	824
	C. Cleveland et al .....do....	2 48	....do	820
	A. Henry .....do....	8 53	....do	869
May 8, 1865	J. M. Davis.....do....	1, 005 44	....do	358
May 27, 1865	Thomas Drew et al.....do....	998 46	June 14, 1865	870
	W. I. Hartman et al ..... do....	864 21	....do	818
	W. Graydon et al.....Schell..	32 44	....do	886
	J. Seligman et al.....do....	11, 856 95	June 20, 1865	753
June 5, 1865	R. A. Schnabel et al ..... do ...	261 08	June 26, 1865	826
June 6, 1865	C. R. Rechnagel et al .....Redfield..	2, 334 21	July 5, 1865	935
June 23, 1865	Thomas N. Dale et al .....do....	3, 179 71	July 12, 1865	347
July 21, 1865	W. M. Richards et al .....do....	2, 324 65	Aug. 3, 1865	931
	L. Curtis et al.....Schell..	4, 329 13	Aug. 22, 1865	2021
	C. E. Borsdorff et al .....do....	1, 439 33	Aug. 18, 1865	2020
July 31, 1865	E. Warburg .....do....	1, 232 85	....do	887
	R. Fischer & Co.....do....	2, 041 39	....do	908
Aug. 4, 1865	F. H. Reiner et al ....Redfield..	2, 461 62	Sept. 18, 1865	352
	D. Lane et al .....Schell..	2, 250 28	....do	2031
	J. Cochrane et al.....do....	8, 345 99	....do	2023
	A. Iselin et al.....Redfield..	237 24	....do	1029
	F. Butterfield et al.....do....	439 87	Sept. 22, 1865	1594
Aug. 5, 1865	F. Cottenett et al.....do....	2, 758 84	Sept. 23, 1865	1128
Aug. 22, 1865	A. Dennisson et al .....Schell..	1, 384 05	....do	916
	W. Moser .....Redfield..	38 40	Sept. 22, 1865	1055
	L. O. Wilson et al .....do....	276 39	....do	1762
	R. Schnabel et al.....do....	29 35	....do	1577
Aug. 31, 1865	James Isler et al.....do....	1, 033 16	Sept. 27, 1865	540
	Do.....Schell..	574 02	Sept. 25, 1865	549
	T. Cochrane et al.....Barney..	516 63	....do	2245
Sept. 6, 1865	J. A. Fischer et al.....Schell..	1, 361 43	Oct. 5, 1865	888
	J. Seligman et al.....Barney..	1, 258 85	....do	2263
Sept. 12, 1865	A. Moller et al .....Schell..	295 73	Sept. 30, 1865	917
Sept. 15, 1865	B. Andrae et al.....do	904 44	Oct. 5, 1865	525
	C. W. Moore et al .....Redfield..	1, 932 17	Oct. 2, 1865	1016
Sept. 21, 1865	E. B. Strange et al.....Barney..	3, 068 97	Oct. 21, 1865	2262
	F. Rusch et al.....Schell..	3, 444 20	Oct. 27, 1865	890
Sept. 23, 1865	W. Crow et al .....Redfield..	26 48	Oct. 23, 1865	1048
Sept. 28, 1865	W. C. Allen et al.....do....	2, 160 82	....do	1132
Oct. 3, 1865	J. Rouenthal et al .....do....	2, 345 03	Oct. 27, 1865	355
	D. Lane et al.....Barney..	593 35	Oct. 21, 1865	2258
Oct. 9, 1865	H. J. Fairchild .....Redfield..	730 33	Oct. 27, 1865	1539
Oct. 20, 1865	John Syz .....Barney..	226 04	Nov. 23, 1865	2264
	J. Benkard et al .....Redfield..	4, 147 73	Nov. 6, 1865	811
Oct. 27, 1865	T. Passavant et al .....Barney..	917 94	Nov. 8, 1865	2260
Nov. 11, 1865	S. Guillaume et al.....Schell..	2, 488 60	Nov. 28, 1865	2021
	J. Seligman et al.....Redfield..	6, 077 69	Dec. 4, 1865	1402
	A. Iselin et al..... .....Schell..	2, 332 35	Dec. 6, 1865	2030
Nov. 11, 1865	D. V. Freeman .....Shell..	307 65	Nov. 28, 1865	1093
	E. A. Oelrichs et al..... do....	312 22	....do	530
	Same .....Redfield..	302 46	....do	327
	H. de Gow et al .....Schell..	1, 438 37	....do	2024
Nov. 18, 1865	George Christ et al .....do....	3, 834 33	Dec. 8, 1865	2022
	A. Arnold et al .....Redfield..	762 46	Dec. 9, 1865	1556
Nov. 25, 1865	G. Hessenbey et al.....do....	2, 081 77	Dec. 12, 1865	1168
	W. Bauendahl et al .....do....	3, 625 39	....do	1169
Nov. 28, 1865	H. Schundaff et al.....do....	107 59	Dec. 9, 1865	1552
	F. Duyster et al.....do....	49 07	Dec. 19, 1865	1148

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases, &c.*—Continued.

Date of forwarding statement to Washington.	Parties.	Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
Dec. 8, 1865	L. Grossman et al.....Redfield..	$6,553 85	Dec. 22, 1865	1122
Dec. 28, 1865	P. A. H. Renauld et al .....Barney..	5,534 15	Mar. 1, 1866	2018
		179,702 80		
Jan. 23, 1866	L. Grossman et al.....Schell..	495 32	Feb. 7, 1866	1095
July 2, 1866	L. Maillard et al .....Barney..	970 75	Sept. 11, 1866	2259
July 18, 1866	J. S. Grund et al .....Schell..	3,299 33	Aug. 27, 1866	2029
Aug. 25, 1866	E. Kaupe et al .....do....	1,089 00	Sept. 11, 1869	2367
Nov. 21, 1866	W. Watson et al .....Redfield..	2,362 42	Jan. 24, 1867	812
Nov. 2, 1866	I. Passavant et al .....Schell..	1,220 79	Dec. 15, 1866	2034
	H. Lewis et al .....Barney..	177 66	Dec. 7, 1866	2255
	L. Guillaume et al .....do....	689 18	Dec. 10, 1866	2251
	E. Blackburn et al .....Schell..	638 59	Dec. 7, 1866	512
	J. S. Grund et al .....Barney..	479 82	Dec. 10, 1866	2253
Dec. 6, 1866	F. Catean et al .....Schell..	1,920 96	Jan. 21, 1867	799
	J. W. Schulten et al.....do....	2,761 52	Jan. 23, 1867	2364
Dec. 7, 1866	E. B. Strange .....do....	6,278 35	Jan. 21, 1867	2265
Dec. 27, 1866	H. S. Caltin .....do....	2,769 65	Jan. 15, 1867	1361
		25,153 34		
Feb. 8, 1867	H. Benda et al .....Redfield..	432 75	Feb. 28, 1867	311
	A. S. Amson et al .....do....	490 17	....do	351
	Same .....Schell..	528 80	Apr. 28, 1867	1037
Apr. 3, 1867	E. Bierdt et al .....do....	1,512 08	Apr. 17, 1867	553
July 3, 1867	H. Benda et al .....do....	437 50	Sept. 21, 1867	2366
	V. Barsalow et al .....do....	1,200 64	....do	1569
	H. Liger et al.....do....	946 22	....do	527
	H. de Gow et al.....Barney..	182 82	....do	2248
July 16, 1867	P. S. Hughes et al .....Redfield..	2,052 29	Apr. 21, 1868	542
	F. Schuchardt et al.....Schell..	1,263 20	....do	2333
		9,046 47		
Apr. 21, 1868	B. Babcock et al.....Schell..	601 12	Apr. 21, 1867	2363
	John Syz et al .....do....	2,935 12	....do	2307
	P. S. Hughes et al.....do....	981 00	....do	548
		4,517 24		
July 20, 1869	F. M. Jones et al.....Redfield..	1,200 07	Aug. 28, 1869	546
Feb. 10, 1870	Le Boutilliu et al .....Schell..	370 29	Mar. 8, 1870	1360
	F. Tomes et al .....do....	1,921 94	....do	1385
	Thomas Hill et al.....do....	1,044 75	....do	1362
	W. N. Woodcock et al .....do....	4,417 61	....do	1382
	F. Tomes et al .....Redfield..	3,773 56	....do	1379
	Le Boutilliu et al .....do....	561 78	....do	1377
Feb. 12, 1870	Charles A. Morlot et al .....Schell..	871 54	Mar. 18, 1870	1006
Feb. 23, 1870	W. N. Woodcock et al.....Redfield..	9,111 54	....do	1376
Feb. 31, 1870	C. F. Hovey & Co., R. C. Greenleaf at al...Schell..	730 37	Apr. 22, 1870	2027
Apr. 4, 1870	C. R. Raymard et al.....Redfield..	1,297 85	Apr. 28, 1870	1364
Apr. 12, 1870	F. W. Reiner et al.....Schell..	5,923 31	....do	2019
Apr. 16, 1870	R. C. Greenleaf et al .....Barney..	984 70	....do	2252
	B. Babcock et al .....Bronson..	653 08	....do	292
Apr. 27, 1870	C. Auffmordt et al .....Schell..	3,290 40	May 9, 1870	891
May 28, 1870	George Christ et al .....Barney..	2,651 03	Oct. 15, 1870	2246
June 10, 1870	Jer Fischer et al .....Redfield..	6,505 02	July 27, 1870	755
June 16, 1870	George A. Faushame et al .....do....	7,636 07	Aug. 1, 1870	712
June 21, 1870	S. McLean et al.....do....	2,055 48	Aug. 2, 1870	1045
July 7, 1870	C. E. Basdorff et al.....Barney..	1,345 89	Aug. 4, 1870	2244
	S. D. Babcock et al.....Redfield..	3,432 38	Aug. 2, 1870	1139
July 9, 1870	W. Loeschigk et al.....Barney..	9,284 67	Sept. 14, 1870	2216
July 11, 1870	G. H. Kissell .....Redfield..	1,700 27	Aug. 1, 1870	1127
	H. F. Spaulding et al.....do....	2,708 05	....do	1011
July 20, 1870	M. Leinau et al .....do....	721 60	Aug. 6, 1870	937
July 20, 1870	F. De Busy et al .....Redfield..	1,528 72	Aug. 6, 1870	1025
Aug. 8, 1870	J. Seligman et al .....Schell..	904 44	Aug. 27, 1870	889
Aug. 19, 1870	A. Plunkett et al .....Redfield..	187 32	Sept. 29, 1870	1043
	A. Noel et al.....do....	500 00	Sept. 16, 1870	1129
	L. Guillaume et al.....do....	593 83	Sept. 10, 1870	365
Aug. 21, 1870	L. H. Simpson et al .....do....	739 16	Oct. 21, 1870	1121
Aug. 23, 1870	C. E. Habecht et al.....do....	1,021 09	Aug. 31, 1870	309

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases, &c*—Continued.

Date of forwarding statement to Washington.	Parties.		Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
	S. Graydon et al	Redfield	$5,857 52	Sept. 10, 1870	1162
	R. C. McButt et al	do	326 30	Oct. 7, 1870	1595
	G. J. Biechtel et al	do	176 16	do	1155
Sept. 13, 1870	A. Parier et al	do	1,965 83	Oct. 13, 1870	767
Sept. 20, 1870	E. Beck et al	do	229 72	Oct. 7, 1870	1152
	G. Wolfas et al	do	777 75	do	1160
	W. Clapp et al	Schell	673 12	do	747
Sept. 29, 1870	W. Loeschigh et al	do	3,014 42	Oct. 15, 1870	*2615
	W. Carter et al	Redfield	32 68	Oct. 7, 1870	1593
	W. Loeschigh et al	Schell	3,389 35	Oct. 15, 1870	*2455
	A. Schnerwind et al	do	1,180 96	do	1591
Oct. 7, 1870	J. C. Kilgour et al	do	952 50	Oct. 21, 1870	1005
Oct. 8, 1870	A. F. Heyr et al	Redfield	880 36	Oct. 22, 1870	1598
Oct. 18, 1870	J. M. Strong et al	do	4,068 82	Nov. 2, 1870	1014
	John Sykes, jr., et al	do	1,460 04	do	1227
Nov. 17, 1870	J. M. Beebe et al	do	321 76	Dec. 2, 1870	860
Nov. 18, 1870	A. Arnold et al	Schell	5,991 85	Dec. 17, 1870	1560
	S. Crooks et al	Maxwell	66,270 96	Dec. 8, 1870	1123
Nov. 29, 1870	J. Cormah et al	Redfield	4,685 47	do	823
Dec. 6, 1870	F. Collenett et al	Schell	6,234 56	Feb. 3, 1871	1863
Dec. 9, 1870	F. W. Jones et at	do	898 55	Jan. 10, 1871	2934
	W. H. Lee et al	Redfield	2,266 36	Jan. 16, 1871	940
Mar. 3, 1870	R. Makin et al	Schell	2,123 41	Mar. 22, 1871	1384
			192,243 19		
Jan. 18, 1871	G. B. Reese et al	Redfield	293 98	Mar. 1, 1871	866
Feb. 8, 1871	R. Slimmons et al	do	4,037 99	do	1167
Mar. 10, 1871	W. Bauendahl et al	Schell	4,722 53	Mar. 30, 1871	1622
Mar. 22, 1871	F. Butterfield et al	do	4,846 24	May 12, 1871	992
Apr. 5, 1871	W. C. Allen et al	do	3,023 68	Apr. 28, 1871	1828
Apr. 26, 1871	A. Arnold et al	Barney	2,531 53	May 8, 1871	2182
May 6, 1871	W. Watson et al	Schell	6,889 81	May 24, 1871	1620
May 24, 1871	G. G. Sampson et al	do	13,262 02	June 13, 1871	720
June 1, 1871	E. Kaupe et al	Barney	1,090 81	June 23, 1871	2214
June 5, 1871	J. Lehmair et al	do	1,815 79	do	2215
June 16, 1771	F. Baley et al	Schell	688 79	June 30, 1871	912
June 24, 1871	J. Linder et al	Barney	1,156 88	July 21, 1871	2217
July 18, 1871	H. Hennequin et al	do	985 00	July 28, 1871	2211
	G. H. Sampson et al	Redfield	11,919 29	do	709
Aug. 8, 1871	A. Gohon et al	Schell	3,839 97	Aug. 22, 1871	1223
Aug. 19, 1871	C. E. Borsdorff et al	Barney	309 00	Sept. 21, 1871	2187
	H. J. Fairchild et al	Schell	11,690 29	Sept. 16, 1871	1538
Aug. 21, 1871	F. Rusch et al	do	2,569 45	Aug. 28, 1871	993
Sept. 18, 1871	J. Benkard et al	Barney	6,365 59	Oct. 2, 1871	1605
Sept. 20, 1871	C. H. P. Babcock et al	Schell	8,659 40	do	1558
Oct. 12, 1871	S. Garydon et al	do	7,863 19	Oct. 30, 1871	1557
Oct. 14, 1871	S. McLean et al	do	9,926 10	Nov. 1, 1871	1945
Nov. 11, 1871	V. Fauche a Lachane et al	do	1,995 48	Nov. 28, 1871	1806
	G. A. Fanshaw et al	do	7,879 88	Nov. 29, 1871	721
Nov. 14, 1871	W. Watson et al	Barney	4,242 50	Dec. 9, 1871	2240
Nov. 18, 1871	R. Slimmons et al	Schell	3,180 36	do	2176
			125,783 55		
Jan. 20, 1872	J. Sykes, jr., et al	Schell	4,758 98	Feb. 5, 1872	1984
	Do	Barney	2,059 45	do	2233
Feb. 16, 1872	J. Linder et al	Schell	4,129 39	Feb. 27, 1872	1579
Mar. 12, 1872	F. Butterfield et al	do	1,462 32	Apr. 1, 1872	1625
Mar. 25, 1872	Do	Barney	7,445 24	Apr. 12, 1872	2192
Apr. 15, 1872	E. Keanys et al	Redfield	405 75	May 10, 1872	713
	Do	Schell	1,901 22	do	722
	Do	do	1,478 74	do	723
	G. Kessell et al'	do	7,821 42	May 15, 1872	1732
May 12, 1872	F. Vietor et al	Barney	4,518 03	June 4, 1872	1743
June 7, 1872	W. Bauendahl et al	do	4,276 38	June 26, 1872	2186
June 18, 1872	F. W. Reiner et al	do	1,093 07	July 15, 1872	2226
	D. W. Mellis et al	Schell	1,295 98	do	1624
June 20, 1872	A. Plunkett et al	do	315 92	do	1107
	E. Warburg et al	Barney	526 54	do	2241
July 5, 1872	J. Rosenthal et al	Schell	2,501 91	Aug. 19, 1872	2928
	C. Vyse et al	do	2,804 62	Aug. 10, 1872	2915
	J. Steiner et al	do	418 68	Aug. 19, 1872	2925

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases, &c.*—Continued.

Date of forwarding statement to Washington.	Parties.		Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
	L. Heidenheimer et al	Schell	$2,029 70	Aug. 10, 1872	2929
	Toledo L. & B. R. R.	do	2,809 46	do	2766
	S. Rosenfield et al	do	4,015 25	do	2932
	M. L. Hallowell et al	do	1,704 30	do	2919
July 9, 1872	H. J. Fairchild et al	Barney	5,159 19	Aug. 27, 1872	2200
July 26, 1872	H. Stursberg et al	Schell	5,228 00	do	1988
	J. Fisher et al	Barney	997 90	do	2202
Aug. 19, 1872	F. Rusch et al	do	2,425 39	Sept. 3, 1872	n. s. 403
Aug. 22, 1872	J. M. Jones, J. M. Davis et al	do	3,207 67	Sept. 7, 1872	2788
Aug. 27, 1872	J. Fisher et al	Schell	6,206 53	Sept. 23, 1872	1933
Sept. 11, 1872	C. A. Auffmordt et al	Barney	5,680 29	Oct. 28, 1872	2181
Oct. 17, 1872	F. Vietor et al	do	1,579 72	Nov. 7, 1872	2238
	J. H. Hardt et al	Schell	4,840 54	Nov. 8, 1872	1533
Oct. 24, 1872	H. Stursberg et al	Barney	2,904 18	Nov. 29, 1872	2227
	E. Faber et al	do	264 26	do	2195
Nov. 12, 1872	J. Fisher et al	do	3,636 90	Dec. 11, 1872	2201
Nov. 23, 1872	L. Curtis et al	Schell	3,769 33	Dec. 14, 1872	620
	H. E. Gillelan et al	do	2,835 95	Dec. 19, 1872	2914
	C. E. Habecht et al	do	469 25	do	2920
Dec. 2, 1872	C. Marlot et al	Barney	365 12	do	n. s. 320
Dec. 21, 1872	Thomas Slocumb et al	Schell	2,489 27	Jan. 31, 1873	1814
			111,831 84		
Jan. 4, 1873	Thomas Slocumb	Barney	3,170 75	Feb. 14, 1873	2234
	J. A. Fisher	do	763 90	Feb. 10, 1873	2198
	J. Benkard, Hutter	Redfield	13,950 13	do	850
	Do	Schell	15,580 06	do	801
	J. M. Jones et al	Barney	1,135 72	Feb. 4, 1873	n. s. 338
	W. M. Woodcock et al	do	2,870 53	do	311
Jan. 6, 1873	J. A. Fischer et al	do	43 83	Feb. 10, 1873	2199
Jan. 12, 1873	A. Boyd, W. Boyd	Schell	9,645 45	Mar. 5, 1873	1721
	Do	Redfield	14,921 26	do	1660
Jan. 13, 1873	W. Watt et al	do	9,090 08	Feb. 25, 1873	1403
	Do	Schell	5,605 12	Feb. 27, 1873	1400
Mar. 1, 1873	R. Fischer et al	Barney	4,770 77	Mar. 28, 1873	2197
	Do	Schell	4,332 31	Mar. 22, 1873	1931
	G. H. Stuart et al	do	6,253 05	Mar. 18, 1873	1990
Mar. 4, 1873	M. Leenan et al	do	665 28	Mar. 28, 1873	1943
Mar. 26, 1873	A. Rickard et al	do	3,647 95	Apr. 7, 1873	618
Apr. 8, 1873	R. Irvin et al	Redfield	13,792 71	Apr. 20, 1873	1613
	Do	Schell	19,944 27	do	1628
Apr. 18, 1873	F. R. Fowler et al	Barney	307 07	Apr. 29, 1873	2363
	J. S. Little et al	Schell	2,880 09	do	2926
Apr. 22, 1873	C. Dord et al	Barney	2,871 83	May 9, 1873	n. s. 327
May 7, 1873	J. H. Hardt et al	do	3,515 43	May 28, 1873	2208
	N. Ladewig et al	do	2,082 06	do	2221
June 12, 1873	A. Schnerwind et al	do	619 99	May 13, 1873	n. s. 317
June 4, 1873	C. Pearson et al	Schell	2,542 70	do	2933
June 24, 1873	T. Cochrane et al	do	528 49	July 8, 1873	2023
	C. F. Dambman et al	do	2,893 25	July 10, 1873	1262
	C. E. Borsdorff et al	do	2,973 52	do	2020
June 28, 1873	C. F. Van Blankensteger et al	Barney	291 54	July 19, 1873	2620
	A. Iselin et al	do	2,544 98	do	2621
	Do	Schell	4,364 27	July 24, 1873	2030
	J. Lehmair et al	do	4,728 98	July 10, 1873	2922
June 12, 1873	A. Wetter et al	do	368 71	July 28, 1873	2454
June 18, 1873	J. W. Schulten et al	do	2,846 69	Aug. 9, 1873	2364
Aug. 5, 1873	S. McLean et al	Barney	5,029 06	Aug. 26, 1873	2220
	G. P. Naylor et al	Schell	12,066 17	Sept. 2, 1873	1635
Aug. 18, 1873	J. Lehmair et al	Barney	389 93	Aug. 30, 1873	n. s. 321
	S. Strahlheim et al	Schell	2,875 49	Sept. 1, 1873	2918
	E. Kaupe et al	do	856 43	do	2367
	W. S. King et al	Barney	4,797 48	do	1186
Sept. 12, 1873	C. F. Van Blankensteger et al	Schell	1,362 62	Sept. 24, 1873	2544
Oct. 2, 1873	D. Lane et al	do	1,453 50	Oct. 16, 1873	626
Oct. 8, 1873	C. G. Bonn et al	Redfield	2,124 25	do	346
Oct. 6, 1873	William Brunner et al	Barney	11,298 92	Nov. 15, 1873	n. s. 390
	Do	do	814 46	do	2721
Oct. 7, 1873	G. P. Naylor et al	Redfield	28,299 76	Nov. 20, 1873	928
Oct. 18, 1873	E. B. Strange et al	Schell	781 10	Dec. 1, 1873	2265
Oct. 27, 1873	W. Brand et al	Barney	4,340 84	Dec. 9, 1873	2189
Oct. 24, 1873	L. Grossman et al	Redfield	2,701 95	Dec. 4, 1873	1122
Dec. 1, 1873	W. Brand et al	Schell	1,630 42	Dec. 20, 1873	1722

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases, &c.*—Continued.

Date of forwarding statement to Washington.	Parties.	Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
Dec. 8, 1873	C. Dord et al.....Redfield..	$4,127 83	Dec. 18, 1873	356
	Do.....Schell..	2,726 66	....do.....	1236
Dec. 30, 1873	A. S. Stone et al.....do....	16,721 59	Jan. 9, 1874	2917
	V. Thirion et al.....do....	2,029 62	Jan. 13, 1874	1381
	Do.....Redfield..	2,028 69	Jan. 10, 1874	1375
		274,999 54		
Jan. 14, 1874	W. Lattimer et al.....Schell..	274 96	Jan. 24, 1874	511
Jan. 21, 1874	J. Seligman et al.....Redfield..	1,328 90	Jan. 30, 1874	1402
Jan. 29, 1874	W. Lattimer et al.....do....	2,627 22	Feb. 10, 1874	364
Jan. 30, 1874	E. Kaupe et al.....do....	928 76	Feb. 16, 1874	543
Feb. 4, 1874	J. A. Fisher et al.....do....	732 37	....do.....	556
Feb. 10, 1874	H. Flietman et al.....Barney..	998 23	Mar. 6, 1874	2203
Feb. 12, 1874	C. W. Morse et al.....Schell .	8,603 21	....do.....	1809
Feb. 10, 1874	F. W. Reiner et al.....Redfield..	3,936 85	Mar. 2, 1874	352
Feb. 18, 1874	W. Richards et al.....Schell..	4,935 15	Mar. 6, 1874	1982
Feb. 28, 1874	J. Rosenthal et al.....Redfield..	1,571 18	Mar. 11, 1874	355
Mar. 3, 1874	W. Outhout et al.....do....	4,230 34	Mar. 19, 1874	1614
	Do.....Schell..	2,933 40	....do.....	1645
Mar. 4, 1874	W. Sturgis, jr.....do....	3,945 89	....do.....	1566
	A. L. Reid et al.....do....	1,614 82	....do.....	1978
	L. O. Wilson et al.....do....	1,085 36	....do.....	1224
Mar. 20, 1874	C. L. Recknagel et al.....do....	1,296 16	Apr. 4, 1874	1981
Mar. 28, 1874	J. S. Grund et al.....do....	284 48	Apr. 8, 1874	2029
	T. N. Dale et al.....Redfield..	289 11	....do.....	347
	S. Guillaume et al.....Schell..	583 54	....do.....	2026
Apr. 1, 1874	H. Lewis et al.....do....	717 13	Apr. 11, 1874	749
Apr. 6, 1874	George Christ et al.....do....	2,633 60	Apr. 17, 1874	2622
	C. Payen et al.....do....	3,053 27	....do.....	2033
Apr. 18, 1874	C. Congreve et al.....Redfield..	4,583 53	May 11, 1874	1662
	Do.....Schell..	1,453 61	... do.....	1724
Apr. 18, 1874	L. P. Morton et al.....do....	402 46	May 11, 1874	1807
	Do.....do....	2,276 70	....do.....	1808
Apr. 30, 1874	M. A. Sorchen et al.....Barney..	1,729 24	May 18, 1874	n. s. 315
May 7, 1874	T. Parsavant et al.....Schell..	2,443 35	....do.....	2034
May 9, 1874	C. F. Van Blankensteyn et al.....do....	1,696 64	May 22, 1874	2927
	E. Lamarche et al.....do....	2,830 12	May 25, 1874	1941
July 14, 1874	R. McButt et al.....do....	1,805 62	July 31, 1874	1609
	W. M. Bliss et al.....do....	1,749 56	....do.....	2157
	S. W. Sears et al.....do....	1,059 40	....do.....	2297
	C. Abernathy et al.....do....	2,376 22	July 25, 1874	1561
	J. F. Noble et al.....do....	2,993 42	July 31, 1874	943
	F. Skinner et al.....do....	964 71	July 25, 1874	1739
	E. Greff et al.....do....	918 62	....do.....	1544
	J. Duncan et al.....do....	2,776 38	....do.....	2054
	G. H. Withaus et al.....Barney..	957 15	Aug. 1, 1874	n. s. 312
	L. Curtis et al.....do....	3,407 87	....do.....	2247
July 16, 1874	F. A. Spies et al.....Schell..	928 87	....do.....	2177
	H. Hennequin et al.....do....	3,002 47	July 31, 1874	2892
	G. F. Heye et al.....do....	3,290 23	....do.....	1535
	R. P. Bruff et al.....do....	2,306 69	Aug. 6, 1874	2044
	G. H. Platt et al.....do....	348 50	July 31, 1874	1976
	Thomas Drew et al.....do....	1,915 06	....do.....	1927
	H. Schorndorff et a l.....do....	1,510 97	....do.....	1815
	H. I. Baker et al.....do....	833 43	....do.....	1642
July 27, 1874	R. Lamb et al.....do....	1,101 81	Aug. 12, 1874	2069
	J. C. Henderson et al.....do....	1,231 83	....do.....	1634
	H. M. Avery et al.....do....	782 37	....do.....	1829
	R. D. Lothrop et al.....do....	1,153 83	....do.....	1032
	W. H. Scott et al.....do....	1,137 86	....do.....	1989
Aug. 11, 1874	C. L. Sharpless et al.....do....	1,346 00	Aug. 21, 1874	1994
Aug. 15, 1874	L. Maillard et al.....Barney..	1,639 71	Sept. 3, 1874	n. s. 397
Aug. 21, 1874	N. McStea et al.....Schell..	39 98	Sept. 15, 1874	1211
	I. Forstmann et al.....Barney..	1,254 09	Sept. 14, 1874	2204
	E. Robins et al.....Schell..	848 32	....do.....	1979
Aug. 24, 1874	J. Naif et al.....do....	1,270 57	Sept. 25, 1874	1950
Aug. 21, 1874	H. B. Claflin et al.....do....	5,371 68	Oct. 8, 1874	1563
Oct. 8, 1874	H. F. Spaulding et al.....do....	6,771 29	Oct. 24, 1874	2985
	A. R. Wetmore et al.....do....	2,268 45	....do.....	1632
	Do.....Redfield..	2,774 15	....do.....	1649
	H. L. Pearson et al.....do....	3,547 19	....do.....	1609
	Do.....Schell..	2,470 72	....do.....	1640
	C. W. Schuffner et al.....do....	1,636 24	Oct. 28, 1874	1983

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases, &c.*—Continued.

Date of forwarding statement to Washington.	Parties.	Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
	H. Ackerman et al.....Schell..	$1,852 18	Oct. 24, 1874	1534
Oct. 24, 1874	F. M. Peyser et al.....do....	1,017 37	Nov. 11, 1874	2931
Nov. 4, 1874	W. Brunner et al.....do....	5,412 62	Nov. 18, 1874	524
Nov. 30, 1874	D. W. Catlin et al.....do....	654 04	Dec. 17, 1874	2062
Dec. 12, 1874	E. Carow et al .....Barney..	730 22	Dec. 28, 1874	2194
	C. Heerdt et al .....Schell..	2,297 46	Mar. 6, 1876	997
	R. Nicol et al.....do....	375 62	May 22, 1875	1948
	J. Goodband et al .....do....	332 59	....do	2165
	A. Ladewig et al..... do....	731 24	....do	2136
	H. Stokes et al.....do....	665 27	....do	1737
	Do .....Redfield..	1,344 21	....do	1661
	J. Acker et al.....Schell..	1,980 62	....do	1798
	J. Seigman et al .....do....	3,192 23	....do	1532
Dec. 14, 1874	A. Noel et al.....do....	7,498 09	Apr. 24, 1875	1949
	J. Fischer et al.....Redfield..	6,374 75	May 6, 1875	1853
	T. Slocomb et al .....do....	5,465 15	....do	1759
	E. Lamarche.....do....	4,504 73	Apr. 30, 1875	1137
		178,240 24		
Jan. 7, 1875	R. A. Withaus et al .....Redfield..	943 66	May 6, 1875	1666
Jan. 27, 1875	F. A. Spies et al.....do....	11,390 69	Apr. 30, 1875	308
	B. H. Hutton et al.....Bronson..	5,183 22	May 6, 1875	331
Mar. 18, 1875	A. Lachaise et al.....Schell..	193 55	May 22, 1875	265
	M. Mitchell et al.....do....	2,621 26	May 6, 1875	619
	T. Passavant et al.....Barney..	2,443 07	May 2., 1875	2769
	B. Babcock et al .....Redfield..	4,952 96	Apr. 29, 1875	350
Apr. 19, 1875	H. B. Claflin et al.....do....	7,378 46	June 21, 1875	1553
	J. Seligman et al.....do....	2,340 52	June 19, 1875	1228
	A. Ladewig et al.....do....	315 13	....do	932
	G. Wolfers et al.....Barney..	274 23	June 14, 1875	2239
	T. Eggleston et al. (Bullett, Robins & Co).Redfield..	3,610 49	June 10, 1875	1652
	T. Eggleston .....Schell..	2,370 86	...do	1629
	T. Fielding et al .....do....	223 60	May 22, 1875	1930
	P. Donald et al.....do....	2,211 48	....do	1726
		46,453 18		
Oct. 14, 1876	T. N. Dale et al .....Barney..	1,450 64	Nov. 22, 1876	n. s. 329
Oct. 25, 1876	J. A. Ubsdell et al .....Redfield..	2,446 84	Dec. 7, 1876	1555
Oct. 26, 1876	A. B. Thiriot et al .....do....	3,707 41	Nov. 29, 1875	554
	B. Andrae et al .....do....	4,593 36	Dec. 6, 1876	547
	H. J. Fairchild et al.....Barney..	630 16	Dec. 4, 1876	3110
	C. Pearson, survivor of Ubsdell.....do....	222 60	Dec. 6, 1876	400
Nov. 1, 1876	G. H. Ellery et al .....Schell..	3,594 00	Dec. 9, 1876	1531
Nov. 13, 1876	P. Donald et al.....Redfield..	1,485 35	Dec. 14, 1876	1166
	J. H. Hardt et al.....do....	8,272 34	Dec. 9, 1876	1672
	H. Stursberg et al .....do....	10,760 58	Jan. 15, 1877	1870
	S. Gutmann et al.....Barney..	1,432 59	Dec. 19, 1876	2206
	F. Victor et al .....Redfield..	8,341 74	Dec. 4, 1876	1667
Nov. 16, 1876	P. S. Hughes et al.....Barney..	780 08	Dec. 15, 1876	325
	B. Andrae et al .....do....	418 32	Dec. 28, 1876	310
	E. Brendt et al.....do....	757 75	Dec. 15, 1876	331
	W. Chamberlain et al .....Schell..	1,896 73	Dec. 16, 1876	616
Nov. 24, 1876	L. Heedenheimer et al .....Barney..	1,860 65	Dec. 29, 1876	395
	J. Seigman et al .....do....	804 70	Jan. 4, 1877	1373
	T. Naef et al.....Redfield..	3,832 61	Dec. 30, 1876	1226
Dec. 1, 1876	W. D. Cromwell et al.....do....	20,211 95	Dec. 21, 1876	1020
	W. S. Wilson et al .....do....	2,658 46	Dec. 30, 1876	1656
	W. H. Horstmann et al.....Schell..	1,656 46	Jan. 15, 1877	1937
Dec. 13, 1876	Jas. Tucker et al .....Barney..	1,017 72	Jan. 8, 1877	2355
	Henry Vyse et al .....do....	2,718 81	Dec. 28, 1876	313
	L. Rosenfield et al .....do....	2,957 56	Jan. 8, 1877	402
Dec. 18, 1876	E. S. Sherman et al .....Redfield..	34,412 87	Dec. 29, 1876	1616
	T. B. Coddington et al.....Schell..	34,098 57	Jan. 4, 1877	1647
Dec. 20, 1876	W. Lorschigh et al ....Redfield..	23,598 93	Jan. 13, 1877	1575
	C. F. Dambman et al.....Barney..	2,058 45	Jan. 12, 1877	3007
		182,689 22		
Jan. 6, 1877	E. Sully et al., survivors of W. Lattimer & Co., Barney.	326 58	Jan. 31, 1877	3012
	C. F. Van Blankensteyn et al.....Barney..	1,299 92	Jan. 29, 1877	n. s. 404
	L. Amson et al.....do....	860 86	Jan. 31, 1877	n. s. 392

EXHIBIT C.—*Schedule of refunds in the charges and commissions cases, &c.*—Continued.

Date of forwarding statement to Washington.	Parties.		Amount paid.	Date of Washington order for payment.	Collectors and district attorney's docket number.
Jan. 17, 1877	W. Brand et al	Redfield	$7,789 72	Feb. 12, 1877	1670
Jan. 25, 1877	A. Gihon et al	do	14,901 14	Feb. 23, 1877	1592
	W. Sturgis, jr., et al	do	10,072 19	Feb. 27, 1877	1554
	W. M. Bliss et al	do	4,345 23	Feb. 20, 1877	1821
	S. M. Peyser et al	do	206 44	Feb. 23, 1877	1615
Jan. 27, 1877	J. Stuart et al	do	4,228 29	Feb. 20, 1877	757
	A. Agmer et al	do	2,292 59	Feb. 23, 1877	875
	T. Drew et al	do	1,195 10	Feb. 27, 1877	1851
	J. Acker et al	do	8,857 23	Mar. 7, 1877	1747
	F. Debury et al	Schell	504 52	....do	2475
	J. H. Dalles et al	do	241 14	....do	2274
	J. Houldsworth et al	do	671 89	Feb. 27, 1877	1935
	W. H. Lee (J. A. Bliss)	do	6,537 27	Mar. 12, 1877	2489
	H. A. Ackerman et al	Barney	1,076 58	Mar. 7, 1877	2184
	E. Unkart et al	do	1,196 42	....do	2237
	H. Heuschen et al	Schell	2,237 10	Feb. 27, 1877	1729
Jan. 29, 1877	W. D. Cromwell et al	do	1,125 49	....do	1864
	A. Rickard et al	Barney	1,999 15	Feb. 21, 1877	3014
Jan. 31, 1877	George Bliss (C. C. Landon)	Schell	12,570 63	Mar. 13, 1877	2480
Feb. 5, 1877	R. Bell et al	Redfield	1,608 26	Feb. 27, 1877	1165
	C. Augrave et al	do	1,641 57	Mar. 16, 1877	1748
			87,785 31		

SUMMARY.

1855	$3,635 55	1868	$4,517 24
1856	9,586 11	1869	1,200 07
1857	13,869 62	1870	192,243 19
1858	2,779 32	1871	125,783 55
1859	1,992 60	1872	111,831 84
1860	54,481 75	1873	274,999 54
1861	87,420 38	1874	178,240 24
1862	47,223 54	1875	46,453 18
1863	237,146 11	1876	182,689 22
1864	157,391 23	1877	87,785 31
1865	179,702 80		
1866	25,153 34	Total	2,035,172 20
1867	9,046 47		

723 payments, averaging $2,814.89 each.

EXHIBIT D.

Charges and commissions cases adjusted, but not paid, New York.

Plaintiffs.	Defendant.	Collector's and district attorney's docket number.	Amount.
James Isler et al	Barney	n.s. 324	$395 46
A. Friedman et al	....do	n.s. 406	1,115 06
W. E. Dodge et al	Schell	2549	17,498 90
A. Lachaise et al	Redfield	324	1,380 60
L. Grossman et al	Schell	1095	878 12
J. W. Schulten et al	Bronson	33	3,327 77
W. Loeschigh et al	....do	294	5,822 07
M. Mitchell et al	Redfield	555	7,794 60
E. Warburg et al	Schell	887	686 99
H. Pastor et al	Barney	2223	314 45
J. W. Cox and V. Barsalew	....do	n.s. 389	1,246 00
H. De Goer et al	Schell	2024	1,741 69
Total			42,201 71

The above have been forwarded to the department during the present year, with the exception of the last, which was forwarded in 1876.

The following cases have been made up, but are held awaiting the settlement of those already in Washington:

H. Ackerman et al	Redfield	1147	$2,475 17
H. F. Hurschen et al	do	1144	1,503 55
B. Babcock et al	do	1653	14,159 86
L. P. Morton et al	do	1756	2,032 64
L. E. Amsarch et al	Schell		280 38
G. B. Moorwod et al.*	Redfield	873	3,216 15
O. Prolls et al	Barney	2224	518 86
W. S. Brown et al	Schell		854 84
H. E. Clark et al	do	2623	721 71
Pastor & Hard et al	do		1,027 49
H. Pastor et al	Barney	2222	242 49
H. Wolfalaer et al.*	Schell	1543	883 98
Total			27,917 12

* Among the unreferred cases on pages 71 and 72 of the list of cases.

Report of W. C. Tompkins relative to "charges and commission cases."

TREASURY DEPARTMENT, *September* 21, 1877.

SIR: In accordance with your verbal instructions, I proceeded to New York on the night of the 10th instant, and reported to Special Inspector Davis for duty in connection with the pending investigation of the so-called "charges and commission" cases.

During the nine days I was in New York, I acted under the instructions of Mr. Davis, rendering him such assistance in his work as lay in my power.

Mr. Davis is trying to get a full and complete list of all the charges and commission cases still pending and unsettled. It seems incredible that it should be the work of weeks to get this list, which ought to be readily obtained from the records of the circuit court; but such is the fact. The early records were kept in such a loose and unmethodical manner that they afford Mr. Davis but little assistance. At the offices of the district attorney and the clerk of the circuit court, we were informed by the clerks that they *could not* furnish a list of such of these cases as are still in litigation. Mr. Davis has, therefore, been compelled to make up his report from such outside sources as were within his reach. When I left New York he was expecting to have it ready for submission to the department by the end of the current week.

With reference to your expressed desire to get, at an *early date*, the *precise amount* of money still involved in these cases, I am satisfied, after an examination of the matter, that this end can only be attained by utilizing the skilled accountants of the New York custom-house. The invoices to be examined are in foreign languages and currencies, and the separation of the illegal charges and commissions, with any dispatch and accuracy, requires long experience in that precise line of work. If, on completion of the list of pending suits now being prepared by Mr. Davis, the entries and invoices covering the importations in controversy should be got out and distributed among the experienced clerks of the collector's, surveyor's, and auditor's offices, and the naval office, as *extra temporary work*, with instructions to pick out the items of charges and commissions illegally exacted, with the dates of payment, leaving the interest computations—which call for no special technical experience—to be made by other clerks, it is possible that the work might be accomplished within a few months (possibly sooner), especially if the office-hours of the clerks so employed were temporarily extended two or three hours a day.

To illustrate the difficulty of accurately estimating the amount yet to

be refunded, it is only necessary to state that the fact that a judgment has been *paid* and *satisfied* is only *prima-facie* evidence that the case is settled. In January of the present year, twenty-three suits in which judgments were paid and satisfied nearly *fifteen years ago* were, on motion of the plaintiffs' attorney, reopened and re-referred to the referee (on the ground that the original judgments did not embrace all the items that should have been included therein), with instructions to re-examine the cases *de novo*, and report such additional amounts as shall be found due the plaintiffs. The fifteen years' interest accruing on these omitted items will make the amount to be refunded more than twice as great as it would have been had they been included in the original judgments. Judging by the results in other cases which have been similarly reopened, the additional amounts thus to be refunded in these twenty-three cases may reach $75,000 or $100,000.

In view of the apparent interminableness of these cases and of the further fact that the amount involved is constantly increasing by the accumulation of accruing interest, I would venture the suggestion that if these claims are ever to be paid, it would be for the interest of the government to settle them *now* on some compromise basis to be agreed upon by all the parties in interest.

The government is paying interest on these claims at seven per cent. per annum, while its four per cent. bonds are at par. In both cases the government pays interest on its indebtedness, but I know no reason why it should pay more in one case than the other. In fact, I think it doubtful if any interest should be paid on excessive duties collected in good faith, under an erroneous view of the law. The amount in dispute should be held in abeyance to await the decision of the courts whether it belongs to the government or the importer.

Would it not be advisable to recommend to Congress the passage of a law limiting the rate of interest on refunds to four per cent.?

In the ordinary course of procedure all the charges and commission cases are referred to a referee to report the amounts due the plaintiffs. In a few suits, the collector of the port has been designated as the referee, and in such cases the refunds have been made without costs for referee's and witnesses' fees. In a great majority of cases, however, some third party has been appointed referee, and in that event the referee's fees and the expenses of making up the report are included in the judgment and paid by the government. Nearly all the pending cases have been so referred.

I would strongly urge that the district attorney be requested to have the orders referring these cases vacated, and to have a new order entered referring them to the collector of the port, as before. The government will thus save the amount of the referee's fees and the cost of making up the account, in each case; and as there are several hundred suits yet pending, the aggregate amount thus saved would reach a large sum.

I append hereto extracts from bills of costs filed in two of the settled charges and commission cases. They illustrate the loose system which seems to have prevailed in every phase of these suits.

An examination of these bills of costs will reveal the fact that in each case *compound* interest is calculated on the amount involved, from the date of the referee's report to the entry of judgment, and is included in the judgment under the head of "costs." If my understanding of the matter is correct, a judgment (whether against an individual or the government) should represent the principal sum, with *simple interest only*, from the date when it became due to the date of the judgment. Of course the judgment carries compound interest; but to compound the

interest prior to judgment, and then to again compound it on entry of the judgment, as was done in these cases, seems to me clearly wrong. I have examined no other bills of costs than those annexed, but if all the cases have been adjusted on a similar basis, quite an amount, in the aggregate, must have been in this way illegally exacted from the government.

Especial attention is called to the bill of costs in the case of William Watts et al. *vs.* Redfield, with respect to the item included therein under the head of witnesses' fees, and specified as "Fred. Ogden, 75 days @ $2, $112.50." This money was paid Ogden, not as witness fees, but for making up the certified statement upon which the money was paid by the department, and which constituted the *only report* made by the referee in the case. In other words, the referee, instead of making up the report himself, as he was paid to do, hires Ogden to do it; but he does not pay Ogden out of his fee, as apparently would be simple justice, but charges the amount in his bill of costs, and thus the government pays twice for the same work. If the collector had been referee, the amount saved in this one case would have been $366.50.

Respectfully submitted.

W. C. TOMPKINS.

A. K. TINGLE, Esq., *Supervising Special Agent.*

United States circuit court, southern district of New York.

L. ROSENFELD ET AL.
vs.
H. J. REDFIELD.

Bill of costs.

Subpœnas	$1 00	
Affidavits	37	
Witness fees	18 00	
		$19 37
Docket fee		10 00
Clerk's cost		26 85
Referee's fees		49 00
Interest on $1,929 from January 31, 1873, to November 20, 1876		513 86
		619 08

Amount of judgment, $2,548.67, docketed November 20, 1876.

The judgment is made up thus:

Principal sum	$1,025 25
Interest to January 31, 1873	904 34
Costs, as above	619 08
	2,548 67

As I look at it, the judgment should have been made up—

Principal sum	$1,025 25
Interest to January 31, 1873 (date of referee's report)	904 34
Interest from January 31, 1873, to November 20, 1876, on $1,025.25 (not on $1,929)	234 04
Costs	105 22
Judgment as it should have been	2,268 85
Overcharge (against government)	279 82

If collector had been referee, there would have been a further saving of $68 (referee's fee and witnesses' fee).

As the judgment was not paid until January 8, 1877, the overcharge was still further increased by interest on $279.82 (the amount of excessive interest in the judgment), from November 20, 1876, to January 8, 1877.

United States circuit court, southern district of New York.

WM. WATT ET AL.
vs.
H. J. REDFIELD.

Plaintiff's bill of costs.

Docket-fee		$10 00
Disbursements:		
Affidavit	$0 25	
Subpœnas	1 00	
Service summons	1 00	
Witnesses' fees:		
Fred Ogden, 75 days	112 50	
C. A. Arthur	1 50	
A. H. Laflin	1 50	
		117 75
Clerk's fees		26 85
Referee's fee		250 00
Additional interest on $8,588.81 from December 30, 1872, to February 11, 1873		70 24
		474 84

The interest on this judgment is compounded, as in the case of Rosenfield, from December 30, 1872, to February 11, 1873, when judgment was entered; and from February 11, 1873, to February 23, 1873, when it was paid; but the time for which it was computed being short, the amount is comparatively small. The illegal interest thus exacted is about $40.

If collector had been referee, the saving to government would have been $366.50

EXHIBIT NO. 4.

Circuit court of the United States for the southern district of New York.

WM. E. DODGE ET AL.
vs.
AUGUSTUS SCHELL.
} Duplicate.

In pursuanee of an order made in the above-entitled cause on the thirteenth day of March, in the year of our Lord one thousand eight hundred and seventy-five, by which, among other things, it was referred to the undersigned to adjust the amount for which the plaintiffs are entitled to a verdict in this cause, and to report thereon to this court with all convenient speed:

Now I, John I. Davenport, to whom the matter was referred, do

report, that I have been attended by the counsel for the respective parties, and have taken and examined the testimony offered in support of the plaintiffs' claim, and do find that the plaintiffs are entitled to a verdict for seventy-six hundred and ninety-six $\frac{10}{100}$ dollars, and to interest on said sum from the date of its payment to the defendants to the date of this report, amounting to ninety-five hundred and sixty-one $\frac{83}{100}$ dollars, in the aggregate amounting to the sum of seventeen thousand two hundred and fifty-seven $\frac{93}{100}$ dollars.

All of which is respectfully submitted.

Dated the twentieth day of Jauuary, A. D. 1877.

[SEAL OF THE COURT.]

E. DELAFIELD SMITH,
Attorney for Plaintiffs.

JOHN I. DAVENPORT,
Referee.

A copy of the original on file and remains of record in my office.

JOHN I. DAVENPORT,
Clerk.

Statement of excess of duty exacted on commissions exceeding one and one-half per cent. upon merchandise imported from Great Britain, and two per cent. from the continent of Europe (except Paris); also on charges for coastwise and inland transportation upon merchandise imported by Phelps, Dodge & Co.; adjusted by John I. Davenport, referee, and issued pursuant to order of United States court March 13, 1875.

Date of entry.	Name of vessel.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment.	Time.		Interest to January 1, 1877.
									Years.	Days.	
1857.					*Pr. ct.*			1857.			
July 1	J. Foster, jr	Liverpool	Commissions	$136	8	.....	$10 88	July 1	19	184	$15 02
	Underwriter	do	do	85	8	$6 80	8 72	do	19	184	12 29
				8	24	1 92					
	Empire State	do	do	111	8	8 88	9 60	do	19	184	13 65
				3	24	72					
July 6	Yorkshire	do	do	128	8	10 24	12 16	July 6	19	179	16 37
				8	24	1 92					
July 7	Aurora	do	do	84	8	6 40	9 28	July 7	19	178	12 28
				12	24	2 88					
July 14	Rachel	do	do	39	8	3 12	6 72	July 14	19	171	9 54
				15	24	3 60					
	Rhine	London	do	15	88	.....	1 20	do	19	171	1 36
	New World	Liverpool	do	126	8	10 88	12 72	do	19	171	17 71
				11	24	2 64					
	Americ	do	do	142	8	11 36	20 24	do	19	171	27 25
				37	24	8 88					
	Bridgewater	do	do	107	8	8 56	10 00	do	19	171	13 63
				6	24	1 44					
	City of Mobile	do	do	118	8	9 44	18 56	do	19	171	25 89
				38	24	9 12					
	Constitution	do	do	130	8	10 40	14 24	do	19	171	19 08
				16	24	3 84					
July 15	France	Cronstadt	do	53	24	.....	12 72	July 15	19	170	17 71
	M. R. Ludwig	Liverpool	do	162	8	12 96	16 08	do	19	170	21 80
				13	24	3 12					
	Universe	do	do	160	8	12 80	20 48	do	19	170	29 25
				32	24	7 68					
	Constitution	do	do	130	8	10 40	14 24	do	19	170	19 08
				16	24	3 84					
	Constellation	do	do	129	8	10 32	21 12	do	19	170	28 61
				45	24	10 80					
July 16	Great Western	do	do	166	8	13 28	38 72	July 16	19	169	53 18
				106	24	25 44					
July 17	Pomona	do	do	191	8	15 28	24 16	July 17	19	168	32 69
				37	24	8 88					
	Washington	do	do	168	8	.....	13 44	do	19	168	17 71

July	20	Asia	do	do	106	8	8 48	9 92	July 20	19	165	13 61
		Louis Napoleon	Hamburg	do	6	24	1 41					
		Caravan	Liverpool	do	18	4		72	do	19	165	1 36
July	22	Atlantic	do	Charges	84	8	6 72	9 12	do	19	165	12 25
				Commissions	10	24	2 40					
July	24	Plutarch	do	do	8	24	1 92	2 40	July 22	19	163	2 72
					2	24	48					
		L. D. Seaver	Cronstadt		182	8	14 56	23 44	July 24	19	161	31 30
					37	24	8 88					
		Cordelia	Liverpool		132	24		31 68	do	19	161	43 54
		E. Austin	do		40	8		3 20	do	19	161	4 08
July	27	C. Lawrence	do		194	8	15 52	30 40	July 27	19	158	40 80
					62	24	14 88					
		Cambria	do		181	8	14 48	26 96	do	19	158	36 72
					52	24	12 48					
July	28	Excelsior	do		137	8	10 96	16 72	do	19	158	23 12
					24	24	5 76					
		Asize	do		157	8	12 56	16 44	July 28	19	157	23 12
					17	24	4 08					
July	29	Hero	do		165	8	13 20	17 28	do	19	157	23 12
Aug.	3	A. Gallatin	do		17	24	4 08					
Aug.	7	W. Stetson	do		45	8		3 60	July 29	19	156	5 44
					185	8		14 80	Aug. 3	19	151	20 38
Aug.	8	J. Wright	do		103	8	8 24	12 08	Aug. 7	19	147	16 30
					16	24	3 84					
		Ericsson	do		122	8	9 76	16 48	Aug. 8	19	146	21 73
					28	24	6 72					
		R. Morse	do		169	8		13 52	do	19	146	19 01
					29	8	2 32	6 04	Aug. 10	19	144	8 14
				Commissions	4	15	60					
		Ericsson	do	do	13	24	3 12					
		American Union	do	do	169	8		13 52	do	19	144	19 00
					80	8	6 40	10 24	Aug. 12	19	142	13 57
		Vanguard	do	do	16	24	3 84					
					80	8	6 40	16 24	Aug. 13	19	141	21 71
		Orient	do	do	41	24	9 84					
					85	8	6 80	15 20	Aug. 17	19	137	20 34
Aug.	18	Endymion	do	do	35	24	8 40					
					93	8	7 44	14 88	Aug. 18	19	136	20 34
Aug.	24	H. Clay	do	do	31	24	7 44					
					33	8	2 64	4 08	Aug. 24	19	130	5 42
Aug.	25	W. Tapscott	do	do	6	24	1 44					
Aug.	27	Ontario	do	do	87	8		6 96	Aug. 25	19	129	9 48
					118	8	9 04	13 12	Aug. 27	19	127	17 61
Aug.	31	Thornton	do	do	17	24	4 08					
					120	8	9 60	17 28	Aug. 31	19	123	23 01
Sept.	1	J. Webb	do	do	32	24	7 68					
					72	8	5 76	13 44	Sept. 1	19	122	17 59
Sept.	3	Forest King	do	do	32	24	7 68					
Sept.	7	Uncle Toby	do	do	94	8		7 52	Sept. 3	19	120	10 82
					126	8	10 68	11 76	Sept. 7	19	116	16 23
					7	24	1 68					

Statement of excess of duty exacted on commissions, &c.—Continued.

Date of entry.	Name of vessel.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment.	Time.		Interest to January 1, 1877.
									Years.	Days.	
1857.					*Pr. ct.*			1857.			
Sept. 8	J. J. Boyd	Liverpool	Commissions	$134	8	.....	$10 72	Sept. 8	19	115	$14 87
Sept. 10	Elisa	Hamburg	do	22	4	.....	88	Sept. 10	19	113	1 35
Sept. 11	Kossuth	Liverpool	do	58	8	.....	4 64	Sept. 11	19	112	6 75
Sept. 14	W. H. Prescott	do	do	35	8	.....	2 80	Sept. 14	19	109	4 05
	Calhoun	do	do	61	8	$4 88	11 36	do	19	109	14 86
				27	24	6 48					
Sept. 15	Cynosure	do	do	102	8	8 16	15 36	Sept. 15	19	108	20 26
				30	24	7 20					
Sept. 18	Harvest Queen	do	do	130	8	10 40	16 64	Sept. 18	19	105	22 95
				26	24	6 24					
	W. F. Schmidt	do	do	105	8	.....	8 40	do	19	105	10 80
Sept. 21	Compromise	do	do	103	8	.....	8 24	Sept. 21	19	102	10 80
	Manhattan	do	do	232	8	18 56	23 12	do	19	102	31 04
				19	24	4 56					
Sept. 23	London	London	do	7	8	.....	56	Sept. 23	19	100	1 35
Sept. 25	Lady Franklin	Liverpool	do	28	24	.....	6 72	Sept. 25	19	98	9 44
Sept. 26	Middlesex	do	do	10	24	.....	2 40	Sept. 26	19	97	2 70
Sept. 28	R. Robinson	do	do	4	24	.....	96	Sept. 28	19	95	1 34
	Constitution	do	do	15	24	.....	3 60	do	19	95	5 39
Oct. 8	O. Belle	do	do	12	24	.....	2 88	Oct. 8	19	85	4 04
Oct. 14	J. Elise	Hamburg	do	18	4	.....	72	Oct. 14	19	79	1 33
Oct. 20	Northumberland	London	do	7	8	.....	56	Oct. 20	19	73	1 33
	Emerald Isle	Liverpool	do	5	24	.....	1 20	Oct. 24	19	73	1 33
Nov. 2	Viking	Antwerp	do	29	4	.....	1 16	Nov. 2	19	60	1 34
Nov. 14	Baltic	Liverpool	do	91	8	.....	7 28	Nov. 14	19	48	9 38
Nov. 20	B. Adams	do	do	117	8	.....	9 36	Nov. 20	19	42	12 04
Nov. 25	J. Foster, jr	do	do	55	8	4 40	11 36	Nov. 25	19	37	14 71
				29	24	6 96					
Sept. 25	Cultivator	do	do	45	24	.....	10 80	Sept. 25	19	98	14 83
Dec. 7	Gilchrist	do	do	67	8	5 36	5 84	Dec. 7	19	25	8 01
				2	24	48					
Dec. 8	American Union	do	do	35	8	.....	2 80	do	19	24	4 00
Dec. 10	A. Gallatin	do	do	73	8	5 84	9 90	Dec. 10	19	22	13 34
				17	24	4 06					
Dec. 14	Grand Duchess	do	do	72	8	.....	5 76	Dec. 14	19	88	8 00
14	Excelsior	do	do	12	24	.....	2 88	do	19	18	4 00

1858.												
Feb. 9	Arabia	do	Charges	7	24	1 68	1 92	Feb. 9	18	326	2 64
				1	24	24					
Mar. 22	Neptune	do	Commissions	128	8		9 84	Mar. 22	18	285	13 14
Mar. 27	J. Foster, jr	do	do	115	8	9 20	10 16	Mar. 27	18	280	13 14
				4	24	96					
	E. Austin	do	do	79	8		6 32	do	18	280	7 88
Mar. 30	do	do	do	92	8	7 36	11 92	Mar. 30	18	277	15 76
				19	24	4 56					
Mar. 31	J. A. Westervelt	do	do	70	8		5 60	Mar. 31	18	276	7 88
Apr. 1	J. Foster, jr	do	do	116	8	9 28	10 24	Apr. 1	18	275	13 12
				4	24	96					
Apr. 14	Australia	do	do	117	8	9 36	10 80	Apr. 14	18	262	14 61
				6	24	1 44					
Apr. 19	Great Western	do	do	31	8		2 48	Apr. 19	18	257	2 62
Apr. 21	H. Clay	do	do	101	8	8 08	12 40	Apr. 21	18	255	15 70
				18	24	4 32					
Apr. 30	Plutarch	do	do	68	8	5 44	12 16	Apr. 30	18	246	15 68
				28	24	6 72					
May 10	Constellation	do	do	81	8	6 48	7 68	May 10	18	236	10 44
				5	24	1 20					
May 15	Switzerland	do	do	83	8		6 64	May 15	18	231	9 13
	Orient	do	do	119	8		9 52	do	18	231	13 04
	Isaac Webb	do	do	64	8	5 12	10 64	do	18	231	14 34
				23	24	5 52					
	Chicago	do	do	84	8		6 72	do	18	231	9 13
	Dreadnought	do	do	103	8		8 24	May 18	18	228	10 43
May 13	Universe	do	do	118	8		9 44	May 13	18	233	11 74
May 28	D. W. Clinton	do	do	77	8	6 16	8 56	May 28	18	218	11 71
				10	24	2 40					
May 29	American Union	do	do	64	8	5 12	9 44	May 29	18	217	11 71
				18	24	4 32					
Mar. 27	Webster	do	do	79	8		6 32	Mar. 27	18	280	7 88
June 2	Palestine	London	do	5	8		40	do	18	213	
June 4	B. Adams	Liverpool	do	109	8		8 72	June 4	18	211	11 70
June 5	E. C. Scranton	do	do	72	8		5 76	June 5	18	210	7 80
June 7	Belle Wood	do	do	112	8		8 96	June 7	18	208	11 69
June 9	O. Monard	do	do	97	8		7 76	June 9	18	206	10 39
June 9	W. Woodbury	do	do	69	8		5 52	do	18	206	7 79
June 10	Endymion	do	do	36	8	2 88	4 56	June 10	18	205	6 49
				7	24	1 68					
June 15	Columbia	do	do	124	8	9 92	12 08	June 15	18	200	15 58
				9	24	2 16					
June 16	L. Thompson	do	do	150	8		12 00	June 16	18	199	15 58
June 18	Excelsior	do	do	92	8		7 36	June 18	18	197	9 08
June 21	New World	do	do	82	8		6 56	June 21	18	194	9 07
June 24	Resolute	do	do	124	8		9 92	June 24	18	191	12 96
June 25	J. Thompson	do	do	2	30		60	June 25	18	190	1 30
June 28	do	do	do	110	8	8 80	15 76	June 28	18	187	20 73
				29	24	6 96					
June 29	W. Tapscott	do	do	109	8		8 72	June 29	18	186	11 66

Statement of excess of duty exacted on commissions, &c.—Continued.

Date of entry.	Name of vessel.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment	Time.		Interest to January 1, 1877.
									Years.	Days.	
1858.					*Pr. ct.*			1858.			
July 2	City of New York	Liverpool	Commissions..	$86	8	$6 88	$11 68	July 2	18	183	$15 54
				20	24	4 80					
July 2	Aurora	....do	....do	92	8	7 36	10 00	....do....	18	183	12 95
				11	24	2 64					
July 9	Ontario	....do	...do	77	8	6 16	10 48	July 9	18	176	12 93
				18	24	4 32					
July 12	Cultivator	....do	....do	120	8	.....	9 60	July 12	18	173	12 93
July 9	Compromise	....do	....do	72	8	.....	5 76	July 9	18	176	7 76
July 13	Cynosure	....do	....do	37	8	2 76	13 28	July 13	18	172	16 81
				43	24	10 32					
July 15	A. Gallatin	....do	....do	118	8	9 44	12 08	July 15	18	170	15 51
				11	24	2 64					
July 16	Washington	....do	...do	155	8	.....	12 40	July 16	18	169	15 50
July 19	West Point	....do	....do	101	8	.....	8 08	July 19	18	166	10 33
July 20	So Chief	....do	....do	116	8	.....	9 28	July 20	18	165	11 62
July 20	H. Queen	....do	....do	161	8	12 88	16 96	....do....	18	165	21 95
				17	24	4 08					
July 22	Neptune	....do	....do	169	8	13 52	15 92	July 22	18	163	20 66
				10	24	2 40					
July 26	Manhattan	....do	....do	161	8	12 88	17 92	July 26	18	159	23 23
				21	24	5 04					
July 26	J. J. Boyd	....do	....do	116	8	.....	9 28	....do....	18	159	11 61
July 28	E. Lawrence	....do	....do	100	8	.....	8 00	July 28	18	157	10 32
July 30	J. Gilchrist	....do	....do	8	8	.....	6 40	July 30	18	155	7 74
	Sir R. Peel	....do	....do	100	8	8 00	13 76	...do....	18	155	18 05
				24	24	5 76					
	Louis Napoleon	Hamburg	....do	31	4	.....	1 24	....do....	18	155	1 29
July 31	Empire State	Liverpool	...do	130	8	10 40	12 56	July 31	18	154	16 76
				9	24	2 16					
Aug. 2	Emerald Isle	....do	....do	99	8	7 92	12 00	Aug. 2	18	152	15 47
				17	24	4 08					
Aug. 4	Princeton	....do	....do	147	8	.....	11 76	Aug. 4	18	150	15 47
Aug. 5	J. Foster, jr	....do	....do	205	8	16 40	24 08	Aug. 5	18	149	30 92
				32	24	7 68					
Aug. 6	Webster	....do	....do	169	8	13 52	15 92	Aug. 6	18	148	20 61
				10	24	2 40					
	Emerald Isle	....do	....do	144	8	11 52	13 92	....do....	18	148	18 03
				10	24	2 40					

Aug. 7	Empire	do	do	121	8	9 68	9 68	do	18	147	12 88
	Bridgewater	do	do	112	8	8 96	10 88	Aug. 7	18	147	14 17
				8	24	1 92					
Aug. 9	Australia	do	do	141	8	11 28	19 44	Aug. 9	18	145	24 47
				34	24	8 16					
Aug. 10	Underwriter	do	do	91	8	7 28	9 92	Aug. 10	18	144	12 87
				11	24	2 64					
	J. L. Parson	do	do	67	8	.....	5 36	do	18	144	6 43
Aug. 11	Saint Louis	do	do	109	8	8 72	9 68	Aug. 11	18	143	12 87
				4	24	96					
	Lady Franklin	do	do	93	8	7 44	9 84	do	18	143	12 87
				10	24	2 40					
Aug. 13	Molocka	do	do	92	8	.....	7 36	Aug. 13	18	141	9 00
Aug. 16	E. Austin	do	do	114	8	9 12	14 64	Aug. 16	18	138	19 29
				23	24	5 52					
	L. Blanchard	do	do	97	8	.....	7 76	do	18	138	10 29
Aug. 18	J. A. Westervelt	do	do	104	8	.....	8 32	Aug. 18	18	138	10 28
	J. Hermann	Hamburg	do	29	4	.....	1 16	do	18	138	1 28
Aug. 21	Juventa	Liverpool	do	67	8	5 56	8 20	Aug. 21	18	133	10 28
				11	24	2 64					
Aug. 23	Devonshire	London	do	47	4	.....	1 88	Aug. 23	18	131	2 57
	J. Bright	Liverpool	do	119	8	9 52	11 20	do	18	131	14 13
				7	24	1 68					
Aug. 24	Baltic	do	do	147	8	.....	8 56	Aug. 24	18	130	11 56
	Great Western	do	do	148	8	11 84	17 84	do	18	130	23 12
				25	24	6 00					
Sept. 2	H. Clay	do	do	108	8	.....	8 64	Sept. 2	18	121	11 54
	R. Robinson	do	do	84	8	.....	6 72	do	18	121	8 98
Sept. 7	Fidelia	do	Charges	2	24	48	17 20	Sept. 7	18	116	21 80
			Commissions	50	8	4 00					
				53	24	12 92					
Sept. 13	Amazon	do	do	5	8	.....	40	.....	18	110	.....
	Prima Donna	do	do	67	8	.....	5 36	Sept. 13	18	110	6 40
Sept. 15	B. D. Metcalf	do	do	47	8	.....	3 76	Sept. 15	15	108	5 12
	W. Tell	do	do	47	8	3 76	8 80	do	15	108	11 52
				21	24	5 04					
Sept. 20	Plutarch	do	do	76	8	6 08	14 72	Sept. 20	18	103	19 19
				36	24	8 64					
	J. Wright	do	do	46	8	3 68	7 04	do	18	103	8 95
				14	24	3 36					
Sept. 21	Marquestte	do	do	59	8	.....	4 72	Sept. 21	18	102	6 40
	L. Greenman	do	do	56	8	.....	4 48	do	18	102	5 12
	Aldenah	do	do	44	8	.....	3 52	do	18	102	5 12
	Intrepid	do	do	77	8	.....	6 16	do	18	102	7 68
	R. A. Heim	do	do	61	8	.....	4 88	do	18	102	6 40
	Orient	do	do	50	8	4 00	5 44	do	18	102	6 40
				6	24	1 44					
	Saratoga	do	do	50	8	4 00	5 68	do	18	102	7 68
				7	24	1 68					
	Wanderer	Cronstadt	do	8	24	.....	1 92	do	18	102	2 55
	Universe	Liverpool	do	79	8	6 32	10 64	Sept. 22	18	101	14 07
				18	24	4 32					

Statement of excess of duty exacted on commissions, &c.—Continued.

Date of entry.	Name of vessels.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment.	Time.		Interest to January 1, 1877.
									Years.	Days.	
1858.					*Pr. ct.*			1858.			
Sept. 23	Pomona	Liverpool	Commissions	$91	8	$7 28	$9 92	Sept. 23	18	100	12 79
				11	24	2 64					
Sept. 27	Constantine	do	do	85	8		6 80	Sept. 27	18	96	8 94
	Switzerland	do	do	75	8		6 00	do	18	96	7 67
	Chicago	do	do	56	8		4 48	do	18	96	5 13
	Calhoun	do	do	73	8	5 84	10 64	do	18	96	14 06
				20	24	4 80					
	Yorktown	do	do	24	12		2 88	Sept. 29	18	94	3 83
Sept. 29	J. Webb	do	do	158	8		12 64	do	18	94	16 61
Oct. 2	America	do	do	74	8		5 92	Oct. 2	18	91	7 66
Oct. 4	Centurion	do	do	40	8		3 20	Oct. 4	18	89	3 83
Oct. 5	Yorkshire		do	184	8	14 72	17 36	Oct. 5	18	89	21 70
				11	24	2 64					
Oct. 11	Constellation	do	do	124	8	9 92	12 56	Oct. 11	18	82	16 58
				11	24	2 64					
Oct. 12	Liverpool	London	do	22	12		2 64	Oct. 12	18	81	3 82
	E. C. Scranton	Liverpool	do	100	8		8 00	do	18	81	10 20
	D. W. Clinton	do	do	154	8	12 32	13 04	do	18	81	16 58
				3	24	72					
Oct. 14	L. Southard	do	do	118	8		9 44	Oct. 14	18	79	11 48
	M. Nottebohm	do	do	94	8		7 32	do	18	79	10 20
	City of Baltimore	do	do	2	24		48	do	18	79	.....
Oct. 20	Thornton	do	do	174	8	13 92	16 56	Oct. 20	18	73	21 65
				11	24	2 64					
	Progress	do	do	108	8		8 64	do	18	73	11 46
Oct. 22	American Union	do	do	128	8	10 24	14 32	Oct. 22	18	71	17 83
				17	24	4 08					
Oct. 25	New World	do	do	135	8	10 80	13 44	O 5	18	68	16 55
				11	24	2 64					
	Endymion	do	do	180	8		14 40	do	18	68	17 82
	Compromise	do	do	87	8		6 96	do	18	68	8 91
	American Eagle	do	do	7	8	56	13 52	do	18	68	17 82
				54	24	12 96					
	W. Tapscott	do	do	136	8		10 88	Oct. 26	18	67	14 00
Oct. 28	O. Monarch	do	do	113	8	9 04	11 44	Oct. 28	18	65	14 00
				10	24	2 40					
	G. Mannering	London	do	61	12		7 32	do	18	65	8 90

	L. Thompson	Liverpool	do	168	8	13 41	14 88	do	18	65	19 08
				6	24	1 44					
	Vigo	do	do	4	24		96	Oct. 29	18	64	1 27
	do	do	do	3	24		72	do	18	64	1 27
Nov. 1	G. Hamilton	do	do	4	15		60	Nov. 1	18	61	1 27
	Columbia	do	do	77	8	6 16	10 66	do	18	61	13 98
				30	15	4 50					
	Resolute	do	do	179	8	14 32	15 04	do	18	61	19 07
				3	24	72					
Nov. 8	J. J. Bogart	do	do	128	8	10 24	12 64	Nov. 8	18	54	16 51
				10	24	2 40					
Nov. 9	H. Queen	do	do	170	8		13 60	Nov. 9	18	53	17 78
Nov. 10	Constitution	do	do	122	8		9 76	Nov. 10	18	52	12 69
	J. Thompson	do	do	219	8		17 52	do	18	52	22 86
Nov. 11	Cultivator	do	do	162	8		12 96	Nov. 11	18	51	16 50
	Arctic	do	do	152	8		12 96	do	18	51	15 23
	West Point	do	do	129	8		10 32	do	18	51	12 70
Nov. 12	Kangaroo	do	do	2	24		48				
	F. B. Cutting	do	do	186	8		14 88	Nov. 12	18	50	19 04
	W. Frothingham	Havre	do	3	24		72	do	18	50	1 27
	R. Treat	Liverpool	do	66	8		5 28	Nov. 15	18	47	6 34
	Excelsior	do	do	98	8		7 84	Nov. 24	18	38	10 13
Nov. 25	City of Baltimore	do	do	3	24		72	Nov. 25	18	37	1 26
Nov. 26	Neptune	do	do	174	8	13 92	18 24	Nov. 26	18	36	22 80
				18	24	4 32					
Nov. 29	E. D. Peters	do	do	89	8		7 12	Nov. 29	18	33	8 86
Nov. 30	Aurora	do	do	146	8	11 68	14 32	Nov. 30	18	32	17 72
				11	24	2 64					
Dec. 6	City of New York	do	do	167	8	13 36	13 84	Dec. 6	18	26	17 71
				2	24	48					
Dec. 10	T. Jefferson	do	do	106	8		8 48	Dec. 10	18	22	10 11
Dec. 15	Gutenburg	Hamburg	do	20	4		80	Dec. 15	18	17	1 26
	City of Washington	Liverpool	do	3	24		72	do	18	17	1 26
Dec. 16	Persia	do	do	1	24		24				
	Volga	Cronstadt	do	51	24		12 24	Dec. 16	18	16	15 15
Dec. 20	A. Gallatin	Liverpool	do	161	8		12 88	Dec. 20	18	12	16 40
Dec. 28	Kangaroo	do	do	3	8		24				
Dec. 29	Caravan	do	do	130	8		10 40	Dec. 29	18	3	12 60
1859.								1859.			
Jan. 3	Success	do	do	76	8		6 08	Jan. 3	17	363	7 56
	Caravan	do	do	130	8		10 40	do	17	363	12 60
Jan. 5	Webster	do	do	190	8		15 20	Jan. 5	17	361	18 88
Jan. 10	Washington	do	do	143	8		11 44	Jan. 10	17	356	13 84
Jan. 15	L. Napoleon	Hamburgh	do	14	4		56	Jan. 15	17	351	1 25
Jan. 18	City of Washington	Liverpool	do	5	24		1 20	Jan. 18	17	348	1 25
Jan. 22	Manhattan	do	do	82	8		6 56	Jan. 22	17	344	8 79
Jan. 24	E. Austin	do	do	105	8		8 40	Jan. 24	17	342	10 04
Jan. 25	Australia	do	do	164	8		13 12	Jan. 25	17	341	16 32
Jan. 27	Dreadnaught	do	do	136	8		10 88	Jan. 27	17	339	13 80
	Empire	do	do	63	8	5 04	7 44	do	17	339	8 78
Feb. 7	do	do	do	10	24	2 40					
	Devonshire	London	do	7	8		56	Feb. 7	17	328	1 24

Statement of excess of duty exacted on commissions, &c.—Continued.

Date of entry.	Name of vessel.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment.	Time.		Interest to January 1, 1877.
									Years.	Days.	
1859.					*Pr. ct.*			1859.			
Feb. 7	Escort	Liverpool	Commissions	$29	8		$2 32	Feb. 7	17	328	$2 50
Feb. 28	City of Manchester	do	do	3	24		72	Feb. 28	17	307	1 24
Mar. 3	City of Baltimore	do	do	3	24		72	Mar. 3	17	304	1 24
Mar. 9	Jura	do	do	5	24		1 20	Mar. 9	17	298	1 25
Mar. 19	City of Washington	do	do	5	24		1 20	Mar. 19	17	288	1 24
Mar. 21	Columbia	do	do	68	8		5 24	Mar. 21	17	286	6 22
	Antarctic	do	do	88	8		7 04	do	17	286	8 71
	Switzerland	do	do	159	8		12 72	do	17	286	16 18
	Amazon	London	do	26	4		1 04	do	17	286	1 24
Mar. 24	Thornton	Liverpool	do	110	8	$8 80	13 36	Mar. 24	17	283	16 17
				19	24	4 56					
Mar. 26	J. Foster, jr	do	do	104	8	8 32	10 24	Mar. 26	17	281	12 43
				8	24	1 92					
	R. A. Heim	do	do	93	8		7 44	do	17	281	8 70
	Roscius	do	do	132	8	10 50	15 36	Mar. 28	17	279	18 65
				20	24	4 80					
Mar. 29	Underwriter	do	do	102	8	8 16	14 88	Mar. 29	17	278	18 65
				28	24	6 72					
	Quickstep	do	do	64	8	5 12	8 72	do	17	278	11 19
				15	24	3 60					
Mar. 31	H. Queen	do	do	173	8	13 84	18 88	Mar. 31	17	276	23 61
				31	24	5 04					
Apr. 1	Resolute	do	do	77	8	6 16	10 00	Apr. 1	17	275	12 43
				16	24	3 84					
Apr. 4	Universe	do	do	36	8		2 88	Apr. 4	17	272	3 72
	Neptune	do	do	117	8	9 36	10 08	do	17	272	12 42
				3	24	72					
Apr. 5	Persia	do	do	1	24		24				
Apr. 6	F. Gebhard	do	do	184	8	14 72	17 36	Apr. 6	17	270	21 11
				11	24	2 64					
Apr. 7	Star of the West	do	do	123	8	9 84	17 28	Apr. 7	17	269	21 11
				31	24	7 44					
Apr. 9	R. Kelly	do	do	72	8		5 76	Apr. 9	17	267	7 44
Apr. 15	City of Baltimore	do	do	3	24		72	Apr. 15	17	261	1 24
Apr. 19	R. L. Lane	do	do	114	8		9 12	Apr. 29	17	257	11 15
Apr. 21	C. A. Stamler	do	do	72	8		5 76	Apr. 21	17	255	7 43
	D. W. Clinton	do	do	32	8		4 16	do	17	255	4 95

Apr. 23	Matilda	do	do	84	8		6 72	Apr. 23	17	253	8 67
Apr. 26	J. Webb	do	do	52	8	4 16	10 64	Apr. 26	17	250	13 61
				27	24	6 48					
Apr. 26	Celestial Empire	Liverpool	Commissions	162	8	12 96	19 68	Apr. 26	17	250	24 75
				28	24	6 72					
Apr. 28	Jura	do		6	24		1 44	Apr. 28	17	248	1 24
Apr. 29	City of Washington	do		2	24		48	do	17	247	
	H. Clay	do		217	8	17 36	19 52	Apr. 29	17	247	24 75
				9	24	2 16					
Apr. 30	Philadelphia	do		143	8	11 44	17 44	Apr. 30	17	246	21 03
				25	24	6 00					
May 2	M. O'Brien			227	8		18 16	May 2	17	244	22 26
	Humboldt	Hamburg		13	4		52	do	17	244	1 24
May 5	Phenix	Liverpool		234	8		18 72	May 5	17	241	23 48
	J. A. Stemler	Antwerp		110	12		13 20	do	17	241	16 07
May 6	Constitution	Liverpool		79	8		6 32	May 6	17	240	7 41
	M. Nottebohm	do		180	8	14 40					
				20	24	4 80	12 90	May 6	17	240	23 48
May 7	L. Thompson	do		4	30		1 20	May 7	17	239	1 24
May 9	Bridgewater	do		185	8		14 80	May 9	17	237	18 53
May 10	Donau	Hamburg		13	4		52	May 10	17	236	1 24
	31 States	Liverpool		131	8		10 48	do	17	236	12 35
May 12	R. Busteed	do		174	8		13 92	May 12	17	234	17 29
May 13	Princeton	do		186	8	14 88	16 80	May 13	17	233	20 98
				8	24	1 92					
May 14	Persia	do		3	24		72	May 14	17	232	1 24
	M. Hammond	do		201	8	16 08	17 52	do	17	232	22 22
				6	24	1 44					
	Kangaroo	do		3	24		72	do	17	232	1 23
May 16	M. Luther	do		212	8	16 96	19 36	May 16	17	230	23 44
				10	24	2 40					
	Independence	do		186	8	14 88	19 20	do	17	230	23 44
				18	24	4 32					
May 17	Dreadnought	do		186	8	14 88	21 84	May 17	17	229	27 14
				29	24	6 96					
May 18	Valentia	do		143	8		11 44	May 18	17	228	13 57
May 19	City of Brooklyn	do		168	8	13 44	15 12	May 19	17	227	18 50
				7	24	1 68					
May 20	Plutarch	do		30	12		3 60	May 20	17	226	4 93
	Webster	do		214	8	17 12	18 92	do	17	226	23 43
				12	15	1 80					
May 21	Monarch of the Sea	do		215	8	17 20	20 80	May 21	17	225	25 89
				15	24	3 60					
	Samaritan	do	Commissions	128	8		10 24	do	17	225	12 33
May 23	Manhattan	do	do	206	8	16 48	18 88	May 23	17	223	23 42
				10	24	2 40					
	Emerald Isle	do	do	183	8	14 64	20 88	do	17	223	25 88
				26	24	6 24					
	Great Western	do	do	165	8	13 20	23 04	do	17	223	28 35
				41	24	9 84					
	Vigo	do	do	9	24		2 16	do	17	223	2 46
	Star of the Union	do	do	142	8		11 36	do	17	223	13 56

Statement of excess of duty exacted on commissions, &c.—Continued.

Date of entry.	Name of vessel.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment.	Time.		Interest to January 1, 1877.
									Years.	Days.	
1859.					*Pr. ct.*			1859.			
May 24	Constellation	Liverpool	Commissions	$202	8	$16 16	$20 24	May 24	17	222	$24 65
				17	24	4 08					
	H. B. Wright	do	do	207	8		16 56	do	17	222	20 95
	O. Moses	do	do	74	8		5 92	do	17	222	7 39
May 25	J. A. Westervelt	do	do	224	8		17 92	May 25	17	221	22 18
	City of Brooklyn	do	do	62	24		14 88	do	17	221	18 48
May 26	City of Baltimore	do	do	6	24		1 44	May 26	17	220	1 23
	do	do	do	25	24		6 00	do	17	220	7 39
	J. Thompson	do	do	231	8		18 48	do	17	220	22 18
May 28	J. Baker	do	do	137	8		10 96	May 28	17	218	13 55
May 30	Compromise	do	do	194	8		15 52	May 30	17	216	19 70
	Juliet Grundy	do	do	176	8		14 08	do	17	216	17 25
May 31	Belle Wood	do	do	182	8	14 56	17 44	May 31	17	215	20 93
				12	24	2 88					
June 1	M. R. Ludwig	do	do	126	8	10 08	15 84	June 1	17	214	19 69
				24	24	5 76					
June 2	Great Western	do	do	10	24		2 40	June 2	17	213	2 46
June 6	Byzantium	do	do	210	8		16 80	June 6	17	209	20 91
June 8	City of Washington	do	do	3	24		72	June 8	17	207	1 23
	do	do	do	6	24		1 44	do	17	207	1 23
June 9	Devonshire	do	do	7	8		56	June 9	17	206	1 23
June 10	Tornado	do	do	94	8		7 52	June 10	17	205	9 83
	Yorkshire	do	do	221	8	17 68	21 52	do	17	205	27 04
				16	24	3 84					
June 11	J. Bright	do	do	45	8		3 60	June 11	17	204	4 91
June 14	do	do	do	61	24		14 64	June 14	17	201	18 42
June 15	Empire	do	do	94	8		7 52	June 15	17	200	9 82
	J. Smith	do	do	59	24		14 16	do	17	200	17 19
	Orient	do	do	146	8	11 68	19 12	do	15	200	23 34
				31	24	7 44					
	Chancellor	do	do	126	8		10 08	June 15	17	200	12 18
	White Star	do	do	149	8	11 92	13 60	do	17	200	17 19
				7	24	1 68					
June 22	Ruskin	do	do	102	8		8 16	June 22	17	193	9 81
June 23	C. W. White	do	do	96	8		7 68	June 23	17	192	9 81
	Kangaroo	do	do	6	24		1 44	do	17	192	1 23
	do	do	do	4	24		96	do	17	192	1 22

June 24	American Union	do	do	109	8	8 72	14 00	June 24	17	191	17 17
				22	24	5 28					
	Persia	do	do	6	24	.....	1 44	....do....	17	191	1 23
June 27	Baltic	do	do	106	8	.....	8 48	June 27	17	188	9 81
June 29	E. Austin	do	do	117	8	9 36	11 04	June 29	17	186	13 48
				7	24	1 68					
	Louis Napoleon	Hamburg	do	11	4	.....	44	.....	.....	.....	.....
	Columbia	Liverpool	do	98	8	7 84	14 08	....do....	17	186	17 16
				26	24	6 24					
	Escort	do	do	151	8	12 08	16 64	....do....	17	186	20 83
				19	20	4 56					
July 9	J. Foster, jr	do	do	119	8	9 52	23 44	July 9	17	176	28 15
				58	24	13 92					
	J. J. Boyd	do	do	104	8	8 32	15 76	....do....	17	176	19 58
				31	24	7 44					
	Vigo	do	do	3	24	.....	72	....do...	17	176	1 22
July 13	City of Baltimore	do	do	3	24	.....	72	July 13	17	172	1 22
	Calhoun	do	do	132	8	10 56	18 24	....do....	17	172	21 01
				32	24	7 68					
	J. Foster, jr	do	do	119	8	9 52	23 44	July 13	17	172	28 13
				58	24	13 92					
	City of Baltimore	do	do	2	24	.....	48	.....	17	172	.....
July 14	Cynosure	do	do	119	8	8 72	18 56	July 14	17	171	23 23
				41	24	9 84					
	Etna	do	do	3	24	.....	72	....do....	17	171	1 22
	Annawan	do	do	63	8	.....	5 04	... do....	17	171	6 11
July 16	Great Britain	do	do	10	24	.....	2 40	July 16	17	169	2 44
July 20	City of Washington	do	do	3	24	.....	72	July 20	17	165	1 22
	B. T. Kimball	do	do	83	8	6 64	10 72	....do	17	165	13 43
				17	24	4 08					
	Montmorenci	do	do	37	8	2 96	4 64	....do....	17	165	6 11
				7	24	1 68					
	Deutchland	Hamburg	do	45	4	.....	1 80	....do....	17	165	2 44
	City of Washington	Liverpool	do	3	24	.....	72	....do....	17	165	1 22
July 22	Africa	do	do	6	24	.....	1 44	July 22	17	163	1 22
July 23	Empire State	do	do	11	8	5 68	11 92	July 23	17	162	14 65
				26	24	6 24					
July 25	Victory	do	do	140	8	11 20	21 28	July 25	17	160	25 63
				42	24	10 08					
	W. Stetson	do	do	56	8	4 48	9 76	....do....	17	160	12 20
				22	24	5 28					
	Amazon	London	do	7	8	.....	56	....do...	17	160	1 22
July 27	Endymion	Liverpool	do	107	8	8 56	19 12	July 27	17	158	23 18
				44	24	10 56					
July 29	C. Nesmith	do	do	97	8	.....	7 76	July 29	17	156	9 75
Aug. 2	Jura	do	do	13	24	.....	72	Aug. 2	17	152	1 22
Aug. 3	H. Queen	do	do	141	8	.....	11 28	Aug. 3	17	151	13 41
Aug. 6	Cultivator	do	do	108	8	8 64	13 68	Aug. 6	17	148	17 05
				21	24	5 04					
	J. Fish	do	do	47	8	.....	3 76	....do....	17	148	4 87
Aug. 11	West Point	do	do	136	8	10 88	17 12	Aug. 11	17	143	20 69
				26	24	6 24					

Statement of excess of duty exacted on commissions, &c.—Continued.

Date of entry.	Name of vessel.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment.	Time.		Interest to January 1, 1877.
									Years.	Days.	
1859.					*Pr. ct.*			1859.			
Aug. 16	City of Washington	Liverpool	Commissions..	$7	24	.....	$1 68	Aug. 16	17	138	$2 43
Aug. 20	Homergau	....do	....do.....	102	8	.....	8 16	Aug. 20	17	134	9 72
Aug. 22	Switzerland	....do	....do.....	69	8	$5 52	9 60	Aug. 22	17	132	12 15
				17	24	4 08					
Aug. 24	City of New York	....do	....do.....	88	8	7 04	15 68	Aug. 24	17	130	19 43
				36	24	8 64					
Aug. 25	Resolute	....do	....do.....	64	8	5 12	14 96	Aug. 25	17	129	18 22
				41	24	9 84					
Aug. 26	Neptune	....do	....do.....	101	8	8 08	17 44	Aug. 26	17	128	20 64
				39	24	9 36					
Aug. 27	Antarctic	....do	....do.....	137	8	10 96	13 50	Aug. 27	17	127	17 00
				11	24	2 64					
	America	....do	....do.....	69	8	.....	5 52	....do....	17	127	17 28
Aug. 29	Vandalia	....do	....do.....	55	8	.....	4 40	Aug. 29	17	125	4 85
	R. Kelly	....do	....do.....	130	8	10 40	15 68	....do....	17	125	19 42
				22	24	5 28					
Aug. 30	Etna	....do	....do.....	14	28	.....	3 36	Aug. 30	17	124	3 64
	E. Kimball	....do	....do.....	72	8	5 76	9 84	....do....	17	124	12 13
				17	24	4 08					
Sept. 1	City of Washington	....do	....do	5	24	.....	1 20	Sept. 1	17	122	1 21
	Dreadnought	....do	....do.....	139	8	.....	11 12	....do....	17	122	13 35
Sept. 2	Antarctic	....do	....do.....	24	24	.....	5 76	Sept. 2	17	121	7 28
Sept. 5	Vandalia	....do	....do.....	16	24	.....	3 84	Sept. 5	17	118	4 85
Sept. 12	J. Webb	....do	....do.....	113	8	9 04	16 48	Sept. 12	17	111	19 38
				31	24	7 44					
Sept. 15	J. Stuart	....do	....do.....	129	8	10 32	14 64	Sept. 15	17	108	18 16
				18	24	4 32					
Sept. 16	R. S. Ely	....do	....do.....	162	8	12 96	17 52	Sept. 16	17	107	21 78
				19	24	4 56					
Sept. 19	Normandy	....do	....do.....	107	8	.....	8 56	Sept. 19	17	104	10 88
Sept. 20	Lafayette	....do	....do.....	88	8	.....	7 04	Sept. 20	17	103	8 46
Sept. 21	Australia	....do	....do.....	138	8	11 04	14 64	Sept. 21	17	102	18 14
				15	24	3 60					
Sept. 23	Plutarch	....do	....do.....	115	8	9 20	11 84	Sept. 23	17	100	14 51
				11	24	2 64					
	Reporter	....do	....do.....	117	8	.....	9 36	....do....	17	100	10 88
Sept. 24	Manhattan	....do	....do.....	163	8	13 04	17 16	Sept. 24	17	99	20 55
				13	24	4 12					

Sept.	26	W. H. Prescott	do	do	130	8		10 40	Sept. 26	17	97	12 08
		D. W. Clinton	do	do	96	8	7 68	11 52	do	17	97	14 50
					16	24	3 84					
Sept.	27	Webster	do	do	148	8	11 84	14 24	Sept. 27	17	96	16 91
					10	24	2 40					
		National Guard	do	do	124	8		9 92	do	17	96	12 08
		Star of the West	do	do	149	8	11 92	17 20	do	17	96	20 54
					22	24	5 28					
Sept.	28	Christiana	do	do	7	8		56	Sept. 28	17	95	1 21
		Marcaroni	do	do	10	12		1 80	do	17	95	2 41
Sept.	29	Constitution	do	do	132	8		10 56	Sept. 29	17	94	13 28
		City of Baltimore	do	do	13	24		3 12	do	17	94	3 62
Oct.	6	J. A. Westervelt	do	do	134	8	10 72	15 04	Oct. 6	17	87	18 10
					18	34	4 32					
Oct.	7	Great Western	do	do	139	8	11 12	22 40	Oct. 7	17	86	26 54
					47	24	11 28					
Oct.	10	Emerald Isle	do	do	108	8	8 64	12 48	Oct. 10	17	83	14 47
					16	24	3 84					
		Lady Franklin	do	do	96	8	7 68	10 56	do	17	83	13 26
					12	24	2 88					
Oct.	11	W. F. Storer	do	do	99	8		7 92	Oct. 11	17	82	9 64
Oct.	14	Charlotte	do	do	46	8		3 68	Oct. 14	17	79	4 82
Oct.	15	City of Washington	do	do	12	24		2 88	Oct. 15	17	78	3 61
Oct.	17	J. Bright	do	do	143	8		11 44	Oct. 17	17	76	13 25
		Africa	do	do	12	24		2 88	do	17	76	3 61
Oct.	20	Advance	do	do	93	8		7 44	Oct. 20	17	73	8 42
Oct.	21	J. Thompson	do	do	120	8	9 60	15 60	Oct. 21	17	72	19 26
					25	24	6 00					
Oct.	24	Columbia	do	do	126	8	10 08	14 64	Oct. 24	17	69	18 05
					19	24	4 56					
		J. R. Keeler	do	do	123	8	9 84	11 76	do	17	69	14 44
					8	24	1 92					
Oct.	27	G. Green	Cronstadt	do	71	24		17 04	Oct. 27	17	66	20 44
Oct.	28	Persia	Liverpool	do	14	24		3 36	Oct. 28	17	65	3 61
Oct.	31	J. Bright	do	do	142	8		11 36	Oct. 31	17	62	13 22
Nov.	4	Universe	do	do	82	8	6 56	13 28	Nov. 4	17	58	15 61
					28	24	6 72					
Nov.	8	W. Tapscott	do	do	106	8	8 64	11 28	Nov. 8	17	54	13 20
					11	24	2 64					
Nov.	10	Devonshire	London	do	7	8		56	Nov. 10	17	52	1 20
Nov.	11	Nottebourn	Liverpool	do	118	8	9 44	17 27	Nov. 11	17	51	20 39
					33	15	4 95					
					12	24	2 88					
Nov.	12	J. Foster, jr	do	do	107	8	8 56	16 24	Nov. 12	17	50	19 19
					32	24	7 68					
		City of Baltimore	do	do	15	24		3 60	do	17	50	4 79
Nov.	14	E. Austin	do	do	179	8	14 32	16 24	Nov. 14	17	48	19 18
					8	24	1 92					
		Orient	do	do	118	8	9 44	17 36	do	17	48	20 38
					33	24	7 92					
		Belle Wood	do	do	113	8	9 04	13 12	Nov. 15	17	47	15 58
					17	24	4 08					

Statement of excess of duty on commissions, &c.—Continued.

Date of entry.	Name of vessel.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment.	Time.		Interest to January 1, 1877.
									Years.	Days.	
1859.					*Pr. ct.*			1859.			
Nov. 15	Endymion	Liverpool	Commissions..	$128	8	$10 24	$16 48	Nov. 15	17	47	$19 18
				26	24	6 24					
Nov. 16	Asia	....do	....do	26	24		6 24	Nov. 16	17	46	7 19
Nov. 17	Bridgewater	....do	....do	141	8	11 28	13 68	Nov. 17	17	45	16 78
				10	24	2 40					
Nov. 18	Compeer	....do	....do	93	8		7 44	Nov. 18	17	44	8 39
Nov. 19	Ben Adams	....do	....do	121	8		9 68	Nov. 19	17	43	11 98
Nov. 20	J. H. Elliott	....do	....do	146	8		11 68	Nov. 20	17	42	14 37
Nov. 21	Chancellor	....do	....do	100	8	8 00	11 36	Nov. 21	17	41	13 17
				14	24	3 36					
Nov. 22	Volga	Cronstadt	....do	51	24		11 24	Nov. 22	17	40	14 37
Nov. 23	Saxonia	Hamburg	....do	47	12		5 64	Nov. 23	17	39	7 18
Nov. 25	Calhoun	Liverpool	....do	112	8		8 96	Nov. 25	17	37	10 77
Nov. 28	Thornton	....do	....do	172	8	13 76	15 92	Nov. 28	17	34	19 14
				9	24	2 16					
	Escort	....do	....do	112	8	8 96	11 60	....do....	17	14	14 35
				11	24	2 64					
Dec. 1	C. Magnus	....do	....do	37	8		2 96	Dec. 1	17	31	3 59
Dec. 6	Tranquebar	....do	....do	93	8		7 44	Dec. 6	17	26	8 36
Dec. 9	H. Queen	....do	....do	139	8	11 12	13 76	Dec. 9	17	23	16 72
				11	24	2 64					
Dec. 12	Bergund	Marseilles	....do	30	15		4 50	Dec. 12	17	20	5 97
	Edinburgh	Liverpool	....do	3	8	24	96	....do....	17	20	1 19
				3	24	72					
Dec. 13	Amazon	London	....do	7	8		56	Dec. 13	17	19	1 19
	J. J. Boyd	Liverpool	....do	108	8	8 64	14 40	....do....	17	19	16 71
				24	24	5 96					
	Victory	....do	....do	124	8	9 92	16 16	....do....	17	19	19 10
				26	24	6 24					
Dec. 15	Cultivator	....do	....do	126	8	10 08	11 52	Dec. 15	17	17	14 32
				6	24	1 44					
Dec. 16	H. Clay	....do	....do	36	8		2 88	Dec. 16	17	16	3 57
Dec. 23	Washington	....do	....do	1	8		08	.....	17	9	.....
Dec. 24	Fidelia	....do	....do	27	8		2 16	Dec. 24	17	8	2 38
Dec. 27	Gutenberg	Hamburg	....do	19	12		2 28	Dec. 27	17	5	2 38
	Resolute	Liverpool	....do	48	8	3 28	6 16	....do....	17	5	7 14
				12	24	2 88					
	Dreadnought	....do	....do	91	8	7 28	13 76	Dec. 29	17	3	16 67
				27	24	6 48					

1860.										1860.				
Jan. 4	West Point	do	do	29	8		2 32	Jan. 4	16	362	2 38
Jan. 7	Etna	do	do	8	24		1 92	Jan. 7	16	359	2 38
Jan. 15	Yorkshire	do	do	66	8	5 28	7 68	Jan. 15	16	351	9 50
				10	24	2 40					
Jan. 18	Palestine	London	do	7	8		56	Jan. 18	16	348	1 19
Jan. 21	M. Travis	do	do	49	15		7 35	Jan. 21	16	345	8 30
Jan. 25	J. Bertram	Hamburg	do	15	12		1 80	Jan. 25	16	341	2 37
Jan. 30	J. Webb	Liverpool	do	45	8		3 60	Jan. 30	16	336.	4 74
Jan. 31	Constitution	do	do	20	8	1 60	4 72	Jan. 31	16	335	5 92
				13	24	3 12					
	Australia	do	do	40	8		3 20	do	16	335	3 55
Feb. 7	City of Baltimore	do	do	2	8		16		16	328	
Feb. 8	Webster	do	do	97	8	7 76	13 04	Feb. 8	16	327	15 37
				22	24	5 28					
Feb. 14	Etna	do	do	42	8		3 36	Feb. 14	16	321	3 54
Feb. 20	Manhattan	do	do	18	8	1 44	6 48	Feb. 20	16	315	7 08
				21	24	5 04					
	J. Bright	do	do	92	8		7 36	do	16	315	8 25
Feb. 29	Excelsior	do	do	64	8	5 12	8 24	Feb. 29	16	306	9 43
				13	24	3 12					
Mar. 1	Switzerland	do	do	137	8		10 96	Mar. 1	16	306	12 96
Mar. 6	Invincible	do	do	162	8	12 96	18 48	Mar. 6	16	301	21 20
				23	24	5 52					
Mar. 7	Star of the West	do	do	83	8		6 64	Mar. 7	16	300	8 24
Mar. 8	Rock Light	do	do	69	8		5 52	Mar. 8	16	299	7 06
Mar. 10	W. Tapscott	do	do	135	8		10 80	Mar. 10	16	297	12 95
Mar. 12	J. A. Westervelt	do	do	137	8		10 96	Mar. 12	16	295	12 94
	Columbia	do	do	139	8		11 12	do	16	295	12 94
Mar. 13	Great Western	do	do	133	8	10 64	15 92	Mar. 13	16	294	18 82
				22	24	5 28					
Mar. 14	Donati	do	do	87	8		6 96	Mar. 14	16	293	8 23
	Niagara	do	do	66	8		5 28	do	16	293	5 88
	Quickstep	London	do	7	8		56	do	16	293	1 17
Mar. 16	R. A. Heim	Liverpool	do	103	8		8 24	Mar. 16	16	291	9 41
Mar. 23	J. Foster, jr	do	do	130	8	10 40	14 72	Mar. 23	16	284	17 61
				18	24	4 32					
Mar. 24	E. Austin	do	do	116	8	9 28	11 92	Mar. 24	16	283	14 09
				11	24	2 64					
Mar. 26	Ironsides	do	do	100	8		8 00	Mar. 26	16	281	9 39
Mar. 27	Antarctic	do	do	150	8	12 00	16 56	Mar. 27	16	280	19 95
				19	24	4 56					
	President Fillmore	London	do	7	8		56	do	16	280	1 17
Mar. 29	B. Webb	Liverpool	do	36	8		2 88	Mar. 29	16	278	3 52
Apr. 2	Chancellor	do	do	122	8		9 76	Apr. 2	16	274	11 72
Apr. 6	Orient	do	do	71	8	5 68	13 12	Apr. 6	16	270	15 23
				31	24	7 44					
Apr. 12	Escort	do	do	106	8	8 48	12 80	Apr. 12	16	264	15 22
				18	24	4 32					
April 13	H. Queen	do	do	126	8	10 08	14 64	April 13	16	263	17 55
				19	24	4 56					

Statement of excess of duty exacted on commissions, &c.—Continued.

Date of entry.	Name of vessel.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment.	Time.		Interest to January 1, 1877.
									Years.	Days.	
1860.					*Pr. ct.*			1860.			
April 14	R. S. Ely	Liverpool	Commissions..	$0 37	8	$2 96	$7 76	April 14	16	262	$9 36
				20	24	4 80					
April 16	Thornton	....do	....do	1 35	8	10 48	17 20	April 16	16	260	19 88
				28	24	6 72					
April 17	L. Franklin	....do	....do	1 81	8	14 48	14 48	April 17	16	259	16 38
April 18	Emerald Isle	....do	....do	1 72	8	13 76	14 96	April 18	16	258	17 54
				5	24	1 20					
April 19	Montebello	....do	....do	1 10	8	.....	8 80	April 19	16	257	10 52
April 20	Calhoun	....do	....do	1 90	8	15 20	19 28	April 20	16	256	22 21
				17	24	4 08					
April 20	W. F. Storer	....do	....do	93	8	.....	7 44	April 21	16	255	8 18
April 26	J. Thompson	....do	....do	1 22	8	9 76	12 88	April 26	16	250	15 18
				18	24	3 12					
April 27	Cultivator	....do	....do	81	8	6 48	15 36	April 27	16	249	17 52
				37	24	8 88					
May 4	Fidelia	....do	....do	1 33	8	10 64	12 80	May 4	16	242	15 16
				9	24	2 16					
May 5	G. Mannering	....do	....do	93	8	.....	7 44	May 5	16	241	8 16
May 7	J. R. Keeler	....do	....do	1 76	8	14 08	16 72	May 7	16	239	19 81
				11	24	2 64					
May 8	Underwriter	....do	....do	1 43	8	11 44	14 80	May 8	16	238	17 48
				14	24	3 36					
May 9	Caravan	....do	....do	1 76	8	.....	14 08	May 9	16	237	16 31
	Yorkshire	....do	....do	1 15	8	9 20	14 72	....do....	16	237	17 48
				23	24	5 52					
May 10	Patmos	....do	....do	73	8	.....	5 84	May 10	16	237	6 99
May 10	S. E. Smith	....do	....do	1 48	8	.....	11 84	....do....	16	236	13 98
May 11	Resolute	....do	....do	1 22	8	9 76	23 20	May 11	16	235	26 79
				56	24	13 44					
May 12	New World	....do	....do	97	8	.....	7 76	May 12	16	234	9 31
May 12	H. Clay	....do	....do	1 28	8	10 24	16 96	....do....	16	234	19 80
				28	24	6 72					
May 14	Constitution	....do	....do	1 34	8	10 72	18 40	May 14	16	232	20 96
				32	24	7 68					
May 14	L. Thompson	....do	....do	1 54	8	12 32	20 72	....do....	16	232	24 45
				35	24	8 40					
May 15	Revenue	Antwerp	....do	31	12	.....	3 72	May 15	16	231	4 65

May	15	Baltic	Liverpool	do	120	8	9 60	19 20	do	16	231	22 12
					40	24	9 60					
May	16	Neptune	do	do	190	8	15 20	20 72	May 16	16	230	24 44
		Aurora	do	do	23	24	5 52					
May	17	Dreadnought	do	do	195	8		15 60	do	16	230	18 62
					220	8	17 60	22 16	May 17	16	229	25 61
		K. Prince	do	do	19	24	4 56					
					111	8	8 88	10 80	do	16	229	12 80
					8	24	1 92					
May	18	City of Brooklyn	do	do	135	8	10 80	13 44	May 18	16	228	15 12
					11	24	2 64					
		Carlisle		do	157	8		12 56	do	16	228	15 12
		Kangaroo		do	1	8		08				
		Constellation		do	187	8	14 96	23 12	May 18	16	228	26 76
					34	24	8 16					
		Victory		do	221	8	17 68	26 08	do	16	228	30 25
					35	24	8 40					
		M. Nottebaum	Antwerp	do	40	12		4 80	do	16	228	5 81
May	19	Sir R. Peel	do	do	25	12		3 00	May 19	16	227	3 49
May	22	Emerald	Liverpool	do	136	8	10 88	20 96	May 22	16	244	24 42
					42	24	10 08					
May	23	Australia	do	do	223	8	17 84	21 92	May 23	16	223	25 58
					17	24	4 08					
May	25	J. Webb	do	do	135	8	10 80	22 80	May 25	16	221	26 73
					50	24	12 00					
May	26	W. Woodbury	do	do	139	8	11 12	16 64	May 26	16	220	19 75
					23	24	5 52					
June	1	J. Bright	do	do	141	8	11 28	16 80	June 1	16	214	19 74
					23	24	5 52					
June	2	B. Adams	do	do	164	8		13 12	June 2	16	213	15 09
June	4	A. Gallatin	do	do	200	8	16 00	21 52	June 4	16	211	25 53
					23	24	5 52					
June	6	Manhattan	do	do	153	8	12 24	18 96	June 6	16	209	22 04
					28	24	6 72					
June	7	City of Baltimore	do	do	6	8		48	June 7	16	208	
		H. Birch	do	do	155	8		12 40	do	16	208	13 92
June	8	Belle Wood	do	do	107	8	8 56	15 04	June 8	16	207	17 39
					27	24	6 48					
June	11	Cavalier	do	do	48	8		3 84	June 11	16	204	4 63
June	12	Princeton	do	do	182	8	14 56	20 56	June 12	16	203	24 33
					25	24	6 00					
June	15	M. L. Lindsay	do	do	134	8		10 72	June 15	16	200	12 74
June	19	G. Marchand	Marseilles	do	50	15		7 50	June 19	16	196	9 26
June	20	Webster	Liverpool	do	221	8	17 68	28 96	June 20	16	195	33 56
					47	24	11 28					
June	22	W. Tapscott	do	do	178	8	14 24	21 44	June 22	16	193	24 30
					30	24	7 20					
June	23	Arctic	do	do	189	8	15 12	20 16	June 23	16	192	23 14
					21	24	5 04					
June	25	Deutchland	Hamburg	do	25	4		1 00	June 25	16	190	1 15
		J. Bertram	do	do	32	12		3 84	do	16	190	4 60

Statement of excess of duty exacted on commisssons, &c.—Continued.

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									Years.	Days.	
1860.					*Pr. ct.*			1860.			
June 26	Bridgewater	Liverpool	Commissions..	$211	8	$16 88	$26 00	June 26	16	189	$30 06
				38	24	9 12					
July 2	Christiana	London	....do	7	8	.....	56	July 2	16	183	1 15
	Excelsior	Liverpool	....do	170	8	13 60	14 80	....do....	16	183	17 32
				5	24	1 20					
July 3	Universe	.....do	....do	109	8	8 72	14 24	July 3	16	183	16 16
				23	24	5 52					
July 9	E. A. Hall		....do	184	8	14 72	20 00	July 9	16	176	23 07
				22	24	5 28					
July 11	Middlesex		....do	181	8	14 48	23 12	July 11	16	174	26 52
				36	24	8 64					
July 12	Assyria		....do	152	8	.....	12 16	July 12	16	173	13 84
July 13	Doctor Barth	Hamburg	....do	58	8	.....	6 96	July 13	16	172	8 07
	Great Western	Liverpool	....do	134	8	10 72	27 76	....do....	16	172	32 28
				71	24	17 04					
July 14	Washington		....do	187	8	.....	14 96	July 14	16	171	17 29
July 16	Invincible		....do	156	8	12 48	16 08	July 16	16	169	18 44
				15	24	3 60					
July 17	Cynosure		....do	179	8	14 32	23 68	July 17	16	168	27 65
				39	24	9 36					
July 18	Isabella		....do	118	8	.....	9 44	July 18	16	167	10 36
July 20	Resolute		....do	119	8	.....	9 52	July 20	16	165	11 51
July 23	Owego		....do	206	8	16 48	17 92	July 23	16	162	20 71
				6	24	1 44					
July 24	E. A. Austin		....do	230	8	18 40	26 56	July 24	16	161	31 07
				34	24	8 16					
July 30	R. Morse		....do	136	8	.....	12 48	July 30	16	155	13 79
July 30	Chancellor	Liverpool	....do	161	8	12 88	18 16	....do....	16	155	20 69
				22	24	5 28					
	Vigo		....do	1	24	.....	24	.....	16	155	.....
	Chancellor		....do	162	8	12 96	18 24	July 31	16	154	20 69
				22	24	5 28					
Aug. 1	Ceres	Hamburg	....do	12	4	.....	48	.....	16	153	.....
Aug. 2	L. Franklin	Liverpool	....do	87	8	6 96	12 00	Aug. 2	16	152	13 79
				21	24	5 04					
Aug. 3	Christiana	London	....do	7	8	.....	56	Aug. 3	16	152	1 15
Aug. 6	Antarctic	Liverpool	....do	177	8	14 16	16 80	Aug. 6	16	148	19 52
				11	24	2 64					

Aug. 8	M. C. Day		do	104	8		8 32	Aug. 8	16	146	9 18
Aug. 10	O. Monarch		do	104	8	8 32	18 40	Aug. 10	16	144	20 65
				42	24	10 08					
Aug. 11	Thornton		do	174	8	13 92	17 04	Aug. 11	16	143	19 50
				13	24	3 12					
Aug. 15	Kittie Floyd		do	86	8		6 88	Aug. 15	16	139	8 02
Aug. 16	M. R. Ludwig		do	196	8	15 44	18 08	Aug. 16	16	138	20 64
				11	24	2 64					
	Vandalia		do	100	8		8 00	do	16	138	9 17
Aug. 17	Emerald Isle		do	168	8		13 44	Aug. 17	16	137	14 90
Aug. 18	Orient		do	146	8	11 68	20 80	Aug. 18	16	136	24 06
				38	24	9 12					
	Escort		do	208	8	16 64	19 76	Aug. 18	16	136	22 92
				13	24	3 12					
Aug. 20	Thalatta		do	145	8		11 60	Aug. 20	16	134	13 74
	Byzantium		do	106	8	12 48	15 12	do	16	134	17 18
				11	24	2 64					
Aug. 21	R. L. Lane		do	141	8		11 28	Aug. 21	16	133	12 60
	H. Queen		do	96	8	7 68	18 48	do	16	133	20 61
				45	24	10 80					
Aug. 22	Asturion		do	98	8		7 84	Aug. 22	16	132	9 16
	R. L. Ely		do	122	8	9 76	18 16	do	16	132	20 61
				35	24	8 40					
	Cultivator		do	108	8		8 64	do	16	132	10 30
Aug. 25	Calhoun		do	106	8	8 48	14 96	Aug. 25	16	129	17 17
				27	24	6 48					
Aug. 27	Logan		do	196	8	15 68	22 40	Aug. 27	16	127	25 17
				28	24	6 72					
Sept. 3	Carolus Magnus	Liverpool	do	168	8	13 44	16 08	Sept. 3	16	120	18 28
				11	24	2 64					
Sept. 7	Yorkshire	do	do	101	8	8 08	12 16	Sept. 7	16	116	13 70
				17	24	4 08					
	Empire	do	do	99	8		7 92	do	16	116	9 14
Sept. 8	Resolute	do	do	103	8		8 24	Sept. 8	16	115	9 14
	F. B. Cutting	do	do	35	8	2 80	4 00	do	16	115	4 57
				5	24	1 20					
Sept. 10	New Orleans	do	do	88	8	7 04	9 44	Sept. 10	16	113	10 27
				10	24	2 40					
	P. Henry	London	do	7	8		56	do	16	113	1 14
	Ironsides	Liverpool	do	135	8		10 80	do	16	113	12 55
Sept. 11	Donau	Hamburg	do	28	12		3 26	Sept. 11	16	112	3 42
Sept. 12	Fidelia	Liverpool	do	112	8	8 96	18 56	Sept. 12	16	111	21 68
				40	24	9 60					
	Humboldt	Hamburg	do	51	12		6 12	do	16	111	6 83
Sept. 14	Belle of the Ocean	Liverpool	do	83	8	6 64	7 84	Sept. 14	16	109	9 12
				5	24	1 20					
Sept. 15	H. Clay	do	do	73	8	5 84	8 48	Sept. 15	16	108	9 12
				11	24	2 64					
Sept. 18	Neptune	do	do	118	8	8 64	19 92	Sept. 18	16	105	22 80
				47	24	11 28					
Sept. 20	Dreadnought	do	do	59	8	4 72	16 00	Sept. 20	16	103	18 23
				47	24	11 28					

Statement of excess of duty exacted on commissions, &c.—Continued.

Date of entry.	Name of vessel.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment.	Time.		Interest to January 1, 1877.
									Years.	Days.	
1860.					*Pr. ct.*			1860.			
Sept. 20	Australia	Liverpool	Commissions	$106	8	$8 48	$12 80	Sept. 20	16	103	$14 81
				18	24	4 32					
Sept. 21	New World	do	do	131	8		10 48	Sept. 21	16	102	11 39
Sept. 22	L. Thompson	do	do	126	8		10 08	Sept. 22	16	101	11 39
	Sir R. Peel	do	do	11	8	88	8 56	do	16	101	10 25
				32	24	7 68					
Sept. 24	West Point	do	do	88	8	7 04	9 92	Sept. 24	16	99	11 38
				12	24	2 88					
Oct. 2	J. Bright	do	do	131	8		10 48	Oct. 2	16	91	11 37
Oct. 4	M. Nottetaum	do	do	100	8	8 00	10 64	Oct. 4	16	89	12 50
				11	24	2 64					
Oct. 6	J. Webb	do	do	62	8	4 96	10 00	Oct. 6	16	87	11 37
				21	24	5 04					
Oct. 8	J. J. Boyd	do	do	50	8	4 00	5 68	Oct. 8	16	85	6 82
				7	24	1 68					
Oct. 9	Southampton	do	do	10	8	80	2 24	Oct. 9	16	84	2 27
				6	24	1 44					
	Victory	do	do	19	8		1 52	do	16	84	2 27
Oct. 13	Revenue	do	do	95	8	7 60	10 48	Oct. 13	16	80	11 35
				12	24	2 88					
	Frigate Tapscott	do	do	88	8	7 04	9 92	do	16	80	11 35
				12	24	2 88					
Oct. 15	Planter	do	do	81	8	6 48	10 08	Oct. 15	16	78	11 35
				15	24	3 60					
Oct. 17	M. Grans	do	do	7	8		56	Oct. 17	16	76	1 13
Oct. 23	A. Gallatin	do	do	109	8		8 72	Oct. 23	16	70	10 20
Oct. 25	Aurora	do	do	78	8	6 24	18 00	Oct. 25	16	68	20 39
				49	24	11 76					
Oct. 26	Excelsior	do	do	19	8		1 52	Oct. 26	16	67	2 26
	Columbia	do	do	50	8	4 00	7 36	do	16	67	7 94
				14	24	3 36					
Oct. 27	Princeton	do	do	11	24		2 64	Oct. 27	16	66	3 39
Oct. 29	B. Adams	do	do	32	8	2 56	4 24	Oct. 29	16	64	4 53
				7	24	1 68					
	City of Washington	do	do	10	24		2 40	do	16	64	2 26
Nov. 1	Protector	do	do	80	8		6 40	Nov. 1	16	61	6 79
Nov. 5	Middlesex	do	do	115	8	9 20	17 12	Nov. 5	16	57	19 22
				33	24	7 92					

	Plymouth Rock	London	do	7	8		56	do	16	57	1 13
Nov. 7	Universe	Liverpool	do	96	8		7 68	Nov. 7	16	55	9 04
Nov. 12	Edinburgh	do	do	6	8		48				
Nov. 20	Great Western	do	do	20	24		4 80	Nov. 20	16	42	5 64
Nov. 21	Red Gauntlet	do	do	10	8		88	Nov. 21	16	41	1 13
Nov. 24	Antartic	do	do	19	24		4 56	Nov. 24	16	38	5 63
	London	London	do	7	8		56	do	16	38	1 13
Nov. 26	J. Foster, jr	Liverpool	do	23	24		5 52	Nov. 26	16	36	6 76
	E. Austin	do	do	11	24		2 64	do	16	36	3 38
	Dr. Barth	Hamburg	do	24	4		96	do	16	36	1 13
Nov. 28	Constellation	Liverpool	do	45	8		3 60	Nov. 28	16	34	4 50
	A. Jackson	do	do	26	8	2 08	4 00	do	16	34	4 50
	do	do	do	8	24	1 92					
	Invincible	do	do	14	24		3 36	do	16	34	3 38
Nov. 30	City of Baltimore	do	do	1	8		08				
Dec. 6	Chancellor	do	do	8	24		1 92	Dec. 6	16	26	2 25
	Cultivator	do	do	3	24		72	do	16	26	1 13
	Harvest Queen	do	do	11	24		2 64	do	16	26	3 36
Dec. 15	Chamberlain	do	do	11	24		2 64	Dec. 15	16	17	3 36
	K. Simpson	do	do	27	8		2 16	do	16	17	2 24
Dec. 24	Leontine	Bremen	do	43	12		5 16	Dec. 24	16	8	5 62
Dec. 26	Empire	Liverpool	do	101	8		8 08	Dec. 26	16	6	8 97
	G. Mannering	do	do	28	24		6 72	do	16	6	7 84
	Jura	do	do	20	8		1 60	do	16	6	2 24
	Escort	do	do	54	8		4 32	do	16	6	4 48
1861.								1861.			
Jan. 5	P. Henry	London	do	15	8		1 20	Jan. 5	15	361	1 12
Jan. 6	West Point	Liverpool	do	29	8		2 32	Jan. 6	15	360	2 24
Jan. 7	Daring	do	do	101	8	8 08	11 20	Jan. 7	15	359	12 30
				13	24	3 12					
	Warhawk	do	do	89	8		7 12	do	15	359	7 83
	America	do	do	89	8		7 12	do	15	359	7 83
	Neptune	do	do	28	8		2 24	do	15	359	2 24
Jan. 8	Wild Hunter	do	do	71	8		5 68	Jan. 8	15	358	6 71
	Emerald Isle	do	do	85	8		6 80	do	15	358	7 83
	Dreadnought	do	do	104	8		8 32	do	15	358	8 95
	L. Thompson	do	do	88	8		7 04	do	15	358	7 83
Jan. 11	Rattler	do	do	41	8		3 28	Jan. 11	15	355	3 35
	J. Bright	do	do	71	8		5 68	do	15	355	6 70
Jan. 17	George Hurlburt	do	do	108	8		8 64	Jan. 17	15	349	10 05
Jan. 23	New World	do	do	55	8		4 40	Jan. 23	15	343	4 46
	Calhoun	do	do	106	8		8 48	do	15	343	8 92
Jan. 29	North American	do	do	69	8		5 52	Jan. 27	15	337	6 68
Jan. 30	I. Webb	do	do	8	8	64	5 44	Jan. 31	15	335	5 57
				20	24	4 80					
	W. Tapscott	do	do	55	8		4 40	do	15	335	4 46
Feb. 4	Sir I. Newton	Hamburg	do	11	4		44				
	Manchester	Liverpool	do	106	8		8 48	Feb. 4	15	331	8 90
Feb. 19	Manhattan	do	do	25	24		6 00	Feb. 19	15	316	6 66
Mar. 6	Webster	do	do	10	24		2 40	Mar. 6	15	301	2 21

Statement of excess of duty exacted on commissions, &c.—Continued.

Date of entry.	Name of vessel.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment.	Time.		Interest to January 1, 1877.
									Years.	Days.	
1861.					*Pr. ct.*			1861.			
Mar. 11	Victory	Liverpool	Commissions..	$38	8	$2 04	$7 12	Mar. 11	15	296	$7 74
				7	24	4 08					
Mar. 18	Columbia	...do	...do	39	8	.....	3 12	Mar. 18	15	296	3 31
Mar. 20	Arctic	...do	...do	39	8	.....	3 12	Mar. 20	15	287	3 31
Mar. 25	Great Western	...do	...do	64	8	5 12	9 44	Mar. 25	15	282	9 93
				18	24	4 32					
Mar. 28	Invincible	...do	...do	57	8	.....	4 56	Mar. 28	15	279	5 52
Apr. 3	Aurora	...do	...do	80	8	6 40	8 56	Apr. 3	15	273	9 92
				9	24	2 16					
Apr. 5	J. Foster, jr		...do	57	8	4 56	9 84	Apr. 5	15	271	11 01
				22	24	5 28					
1857.								1857.			
Mar. 23	C. Lawrence	...do	...do	68	8	.....	5 44	July 1	19	184	6 83
Mar. 6	E. Austin	...do	...do	96	8	.....	7 68	...do...	19	184	10 92
	S. Crowell	...do	...do	49	8	.....	3 92	...do...	19	184	5 46
May 29	Switzerland	...do	...do	28	8	.....	2 24	July 2	19	183	2 73
Apr. 27	Metropolis	...do	...do	17	8	1 36	2 80	July 3	19	182	4 09
				6	24	1 44					
Apr. 23	Manhattan	...do	...do	54	8	.....	4 32	July 6	19	179	5 45
Apr. 2	American Union	...do	...do	51	8	.....	4 08	July 7	19	178	5 45
Apr. 3	Albion	...do	...do	43	8	.....	3 44	...do...	19	178	4 09
Mar. 13	Constellation	...do	...do	34	8	.....	2 72	July 8	19	177	4 09
Mar. 6	New World	...do	...do	52	8	.....	4 16	...do...	19	177	5 45
June 1	Emerald Isle	...do	...do	75	8	.....	6 00	July 13	19	172	8 18
June 3	L. Thompson	...do	...do	42	8	.....	3 36	...do...	19	172	4 09
May 1	Calliope	...do	...do	73	8	.....	5 84	July 14	19	171	8 18
Apr. 23	Harvest Queen	...do	...do	131	8	.....	10 48	July 20	19	165	13 61
June 1	Neptune	...do	...do	29	8	.....	2 32	July 22	19	163	2 72
June 3	Emerald	...do	...do	39	8	.....	3 12	Aug. 13	19	141	4 07
Apr. 23	J. J. Boyd	...do	...do	75	8	.....	6 00	Aug. 14	19	140	8 14
Apr. 28	Assyria	...do	...do	81	8	.....	6 48	Aug. 17	19	137	8 14
June 12	Ericson	...do	...do	47	8	.....	3 76	Aug. 19	19	135	5 42
Apr. 28	R. Kelly	...do	...do	49	8	.....	3 92	Aug. 20	19	135	5 42
Apr. 20	J. A. Westervelt	...do	...do	89	8	.....	7 12	Aug. 22	19	132	9 48
Apr. 14	Orient	...do	...do	118	8	.....	9 44	...do...	19	132	12 19
Apr. 27	C. L. Davenport	...do	...do	59	8	.....	4 72	Aug. 24	19	130	6 77
Apr. 8	Ontario	...do	...do	61	8	.....	4 88	...do...	19	130	6 77
Apr. 6	D. W. Clinton	...do	...do	68	8	.....	5 44	Aug. 25	19	129	6 77

June	4	B. D. Metcalf	do	do	29	8	.....	5 32	Aug.	26	19	128	2 71
Apr.	23	London	do	do	12	8	.....	96	Aug.	27	19	127	1 35
May	12	J. Thompson	do	do	29	8	.....	2 32	do		19	127	2 71
Nov.	23	Pomona	do	do	116	8	9 28	16 72	Nov.	28	19	34	22 72
					31	24	7 44						
Nov.	5	Georges	do	do	85	8	.....	6 80	Dec.	3	19	29	9 35
Oct.	10	Sir. R. Peel		do	72	8	.....	5 76	Dec.	24	19	8	8 00
Sept.	22	Waltham	Cronstadt	do	149	24	.....	36 76	Dec.	30	19	2	49 22
									1858.				
Sept.	25	Star of the West	Liverpool	do	213	8	.....	18 04	Jan.	7	18	359	23 92
		Cultivator	do	do	223	8	.....	17 84	Jan.	11	18	355	23 90
Sept.	26	Constantine	do	do	225	8	.....	18 00	Jan.	15	18	351	23 89
Sept.	28	Obrey	do	do	147	8	.....	11 76	Jan.	16	18	350	15 92
Sept.	25	Lady Franklin	do	do	225	8	.....	18 00	Jan.	19	18	347	23 87
Oct.	28	Webster	do	do	181	8	14 48	18 80	Jan.	29	18	337	25 16
					18	24	4 32						
Oct.	9	Columbia	do	do	185	8	14 80	25 84	Feb.	2	18	333	34 42
					46	24	11 04						
Oct.	21	R. L. Lane	do	do	116	8	.....	9 28	do		18	333	11 91
Nov.	11	Neptune	do	do	155	8	12 40	21 04	Feb.	8	18	327	27 77
					36	24	8 64						
Nov.	27	Plutarch	do	do	98	8	.....	7 84	Feb.	9	18	326	10 58
Oct.	5	J. Thompson	do	do	201	8	16 08	30 48	Feb.	10	18	325	39 66
					60	24	14 40						
Oct.	6	Eliza	do	do	225	8	18 00	20 64	Feb.	11	18	324	27 76
					11	24	2 64						
Oct.	8	O. Belle	do	do	27	8	2 16	2 88	Feb.	12	18	323	3 96
					3	24	72						
Nov.	7	Cambridge	do	do	192	8	15 36	18 96	do		18	323	25 11
					15	24	3 60						
Nov.	5	O. Monarch	do	do	183	8	14 64	20 16	Feb.	15	18	320	26 43
					23	24	5 52						
Nov.	7	Australia	do	do	188	8	15 04	18 40	Feb.	17	18	318	23 77
					14	24	3 36						
Nov.	19	New World	do	do	122	8	9 76	14 08	Feb.	19	18	317	18 49
					18	24	4 32						
Oct.	15	O. Express	do	do	148	8	11 84	17 12	Feb.	20	18	315	22 44
					22	24	5 28						
Sept.	25	Middlesex	do	do	248	8	.....	19 84	Feb.	21	18	314	26 40
Sept.	26	R. Robinson	do	do	256	8	.....	20 48	Feb.	25	18	310	26 38
Oct.	15	Constitution	do	do	117	8	9 36	13 20	Mar.	8	18	299	17 12
					16	24	3 84						
Dec.	12	West Point	do	do	75	8	.....	6 00	Mar.	11	18	296	7 90
Oct.	24	J. A. Westervelt	do	do	197	8	15 76	17 20	Mar.	15	18	292	22 37
					6	24	1 44						
Oct.	6	Evening Star	do	do	90	8	7 20	8 40	do		18	292	10 53
					5	24	1 20						
Sept.	26	M. Tyson	do	do	153	8	.....	12 24	Mar.	17	18	290	15 78
Oct.	12	R. Kelly	do	do	199	8	15 92	19 52	Mar.	20	18	287	26 30
					15	24	3 60						
Oct.	31	L. Thompson	do	do	102	8	8 16	10 32	Mar.	26	18	281	13 13
					9	24	2 16						

Statement of excess of duty exacted on commissions, &c.—Continued.

Date of entry.	Name of vessel.	Where from.	Exacted on—	Dutiable value.	Rate.	Duty.	Amount.	Date of payment.	Time.		Interest to January 1, 1877.
									Years.	Days.	
1857.					*Per ct.*			1858.			
Oct. 13	Emerald Isle	Liverpool	Commissions	140	8	11 20	22 24	Mar. 29	18	278	28 89
				46	24	11 04					
Oct. 12	George Evans	do	do	190	8	15 20	20 24	Mar. 30	18	277	26 26
				21	24	5 04					
Nov. 19	Switzerland	do	do	127	8	10 16	13 04	Apr. 5	18	271	17 05
				12	24	2 88					
Oct. 21	Emerald	do	do	150	8	12 00	16 56	Apr. 7	18	269	22 29
				19	24	4 56					
Sept. 28	E. Hamilton	do	do	88	8	.....	7 04	Apr. 12	18	264	9 17
Nov. 27	E. Austin	do	do	118	8	9 44	18 80	Apr. 22	18	254	24 86
				39	24	9 36					
Sept. 28	Dreadnought	do	do	122	8	.....	9 76	May 10	18	236	13 05
Oct. 10	J. Clark	Cronstadt	do	80	24	.....	19 20	do	18	236	24 80
1858.											
Dec. 3	City of New York	Liverpool	do	5	8	.....	40	.....	.....	.....	.....
1859.											
Sept. 12	J. Stuart	do	do	2	24	.....	48	.....	.....	.....	.....
Aug. 30	E. Kimball	do	do	2	24	.....	48	.....	.....	.....	.....
1860.											
Dec. 13	K. Simpson	do	do	26	8	.....	2 08	Feb. 16	15	319	2 22
	W. Chamberlain	do	do	70	8	.....	5 60	Feb. 18	15	317	6 66
Nov. 22	Ashburton	do	do	72	8	.....	5 76	Feb. 21	15	314	6 66
Nov. 26	J. Foster, jr	do	do	69	8	.....	5 52	Feb. 25	15	310	6 65
	A. Jackson	do	do	56	8	.....	4 48	Feb. 26	15	309	4 43
Dec. 24	Guy Mannering	do	do	63	8	.....	5 04	Feb. 27	15	308	5 54
Nov. 26	E. Austin	do	do	108	8	.....	8 64	Feb. 28	15	307	9 98
Nov. 30	R. L. Lane	do	do	64	8	.....	5 12	Mar. 1	15	306	5 54
Nov. 22	H. Birch	do	do	117	8	.....	9 36	Mar. 2	15	305	9 97
Nov. 28	Orient	do	do	112	8	.....	8 96	Mar. 6	15	301	9 97
Dec. 6	H. Clay	do	do	51	8	.....	4 08	Mar. 7	15	300	4 43
Dec. 3	Chancellor	do	do	58	8	.....	4 64	do	15	300	5 53
Dec. 6	H. Queen	do	do	90	8	.....	7 20	Mar. 10	15	297	7 74
								1861.			
Dec. 6	R. S. Ely	do	do	74	8	.....	5 92	Mar. 10	15	297	6 64
Nov. 27	Invincible	do	do	62	8	.....	4 96	Mar. 13	15	294	5 53
Nov. 20	Red Gauntlet	do	do	100	8	.....	8 48	Mar. 14	15	293	8 85
Dec. 6	Cultivator	do	do	92	8	.....	7 36	Mar. 16	15	291	7 74
Nov. 20	Great Western	do	do	56	8	.....	4 48	Mar. 19	15	288	4 42

1861.												
Nov. 23	Antarctic	do	do	60	8		4 80	Apr. 1	15	275	5 51	
Mar. 23	Emerald	do	do	2	10		20					
1857.												
Apr. 27	Star of the West	do	do	85	8		6 80	Aug. 18	19	136	9 49	
Apr. 17	Thornton	do	do	106	8		8 48	Aug. 26	19	128	10 84	
May 1	Advance	do	do	28	8		2 24	Aug. 21	19	133	2 71	
Apr. 30	L. Blanchard	do	do	118	8		9 44	Aug. 24	19	130	12 19	
Apr. 20	Enterprise	do	do	54	8		4 32	Aug. 28	19	126	5 41	
Apr. 18	I. Webb	do	do	54	8		4 32	do	19	126	5 41	
Mar. 20	A. Gallatin	do	do	86	8		6 88	July 1	19	184	9 56	
Apr. 28	Constantine	do	do	23	8		1 84	do	19	184	2 73	
Mar. 21	J. Wright	do	do	44	8		3 52	July 2	19	183	5 46	
Apr. 28	Normandy	do	do	169	8		15 52	July 7	19	178	21 82	
Apr. 27	R. Robinson	do	do	49	8		3 92	July 14	19	171	5 45	
Apr. 16	Ericsson	do	do	44	8		3 52	July 24	19	161	5 44	
Oct. 29	Webster	do	do	181	8	14 48	18 80	1858.	18	346	18 57	
				18	24	4 32		Jan. 20	18	346	5 30	
	Total						7,696 10				9,533 79	

Principal	$7,696 10
Interest	9,533 79
	17,229 89
Interest from January 1, 1877, to January 20, 1877, on $7,696.10, 19 days	28 04
	17,257 93
Costs	240 97
Total	17,498 90

CUSTOM-HOUSE, NEW YORK,
March 5, 1877.

I certify that the excess of duties paid by Messrs. Phelps, Dodge & Co., agreeably to the foregoing statement, amounts in interest and costs to $17,498.90; that the said duties have been accounted for to the Treasury, and no part thereof heretofore paid back, and that the parties claiming do not appear on the records of the custom-house as indebted to the United States.

J. R. LYDECKER,
Deputy Collector.

Countersigned:
H. WEBB,
SILAS W. BURT,
Comp. and Special Deputy Naval Officers.

Circuit court of the United States, southern district of New York.

CLERK'S OFFICE, NEW YORK,
January 20, 1877.

W. E. DODGE ET AL.
vs.
AUGUSTUS SCHELL.

I, John I. Davenport, clerk of the circuit court of the United States for the southern district of New York, do certify that a judgment was this day docketed in this court in favor of the plaintiff in the above cause in the sum of seventeen thousand two hundred fifty-seven and $\frac{93}{100}$ dollars damages and two hundred forty and $\frac{93}{100}$ dollars costs, making in the aggregate seventeen thousand four hundred ninety-eight and $\frac{90}{100}$ dollars.

In testimony whereof I have hereunto subscribed my name and affixed the seal of the said circuit court this 3d day of March, in the year of our Lord one thousand eight hundred and seventy-seven, and of the Independence of these United States the one hundred and first.

[L. S.] JOHN I. DAVENPORT, *Clerk.*

Protest.

To the collector of the port of New York:

The exaction of any higher rates of commission than those which are usual is hereby protested against, and the payment of duty charged on transportation and shipping-charges on merchandise described in this entry is also protested against, because under existing laws said charges are not dutiable. The payment thereof is made to obtain possession of the goods, and before, as well as at the time of making this payment, the right to recover back the excess exacted, by suit or otherwise, is expressly reserved.

The payment of the following illegal fees exacted upon the entry is also protested against, viz: twenty cents for oaths, twenty cents for stamps on invoices, twenty cents for orders to send packages to public store and deliver examined packages.

You are notified that this protest is extended and applied to all future transactions and importations by us of a similar character with this.

PHELPS, DODGE & CO.
Per JAS. FOSTER, JR.

Copy of protest upon entry.
JULY 1, 1857.

EXHIBIT No. 5.

TREASURY DEPARTMENT, SOLICITOR'S OFFICE,
August 5, 1867.

SIR: I have the honor to return herewith a paper which was informally transmitted to me from your office on the 23d of April last. It purports to be a statement of moneys to be refunded to E. Bredt & Co., of New York, for an alleged excess of duties exacted on commissions and charges on goods imported from Europe, between January and June, 1857, and to be issued in pursuance of "Treasury instructions dated October 4, 1859, May 27, 1857, May 21, 1858, and May 21, 1863."

The statement is not signed nor certified by the collector or any other officer. It was presented at the department, I understand, by W. L. Hodge, esq., as attorney for E. Bredt & Co. I forwarded this paper to Collector Smythe, who returned it on the 24th April, with a letter informing me that it was not made up at his office, nor did he ever see or hear of it before, and that it was evidently of irregular origin, for he could find no record of any suit and does not believe any verdict was ever obtained. The paper bears marks of having been made at the collector's office, and its author evidently had access to the original entries and invoices there filed.

A suit was brought by this firm against Augustus Schell, and, on the 14th March, 1862, the district attorney, E. Delafield Smith, esq., reported that a verdict "was taken" for plaintiff on the 21st February. Whether the verdict was by consent does not appear, but it probably was so, for the attorney states that the principles and questions involved were the same as in another case cited. The verdict was in blank, the amount to be adjusted by the collector, and was to cover excess of duty on commissions and on "charges exceeding Phillips's report, dated October 13, 1856." That verdict has, I learn, been adjusted quite recently, and the amount, $1,512.08, paid at the Treasury.

A statement or adjustment was, it seems, first made up, including duties paid to Mr. Redfield, but the collector declined to certify it unless those were stricken out, which was done, and the present statement is doubtless intended to embrace the items thus rejected.

Attached to the paper now presented is a printed form of protest, such as was made upon one of the importations (that per the Asia), which is doubtless furnished as a sample of those used upon each of the other importations.

There are also attached copies of the several "Treasury instructions" above alluded to, as those in pursuance of which the statement is made. These instructions are not special ones, referring to this case, but general ones, or referring to other cases. The first one, dated October 4, 1856, relates to the case of Messrs. A. Iselin & Co., and others, and authorizes a refund of "duty on freight" exacted contrary to regulation No. 63, p. 22. The second, dated May 27, 1857, relates to all cases where an excess of commissions has been added to make dutiable value, and authorizes a refund of duty exacted thereon. The third, dated May 21, 1858, relates to duty exacted on sea-freight paid under protest. The fourth, dated May 21, 1863, authorizes a refund of duty exacted contrary "to the decisions of the courts" on "charges for transportation of goods from the interior, incurred prior to the time of exportation."

I have procured as samples from the collector's office at New York several (some eight or ten) of the entries, invoices, and protests upon the importations embraced in this statement.

The "statement" purports to take up each importation by itself, and

gives in separate columns the date of entry, name of the vessel, amount of alleged excess of charges or commissions, respectively (distinguishing them by the letters "ch." and "c."), the rate or percentage assessed, and the amount of excessive duty. For example: it appears that one importation was made on the 19th January, 1857, per the Asia, from Liverpool, on which charges were added in excess (as stated) to the amount of $1, commissions $3, total $4; the rate of duty was 25 per cent., making $1, which (with interest, 10 years and 76 days, 76 cents) makes $1.76 to be refunded.

The importation by the Asia was of goods (ribbons) from Barmen (in Rhinish Prussia), the invoice purporting to be made at that place, the invoice value (found by the appraisers to be the true market value), being thalers 775.5.2. The entry, signed E. Bredt & Co., and sworn to by Ernest Bredt on the 13th January 1857, sets out this invoice-value. To such value is added "shipping-charges," thalers 3.14.10; "2½ per cent. commission," thalers 19.14.0. These items being added, the total of dutiable value is thalers 798.04.0 which is reduced to our currency (at 69 cents per thaler), making $550.72. The duty on this at 25 per cent. is $147.75, which seems to have been paid on the 19th January, 1857. The items of "shipping-charges" and "commissions" are clearly in the same handwriting as that of the ribbons, the main item, and were doubtless written at the same time and by the importer himself, his agents or broker. No memorandum or note indicates that they were inserted by compulsion. The oath of Ernest Bredt sets out, among other things, that the entry exhibits the actual value of the goods and "all charges thereon."

The "report of Isaac Phillips, appraiser, dated the 13th October, 1856," so often cited, is an estimate reported to the auditor of the custom-house in New York of the average or usual amount of expense or "charges" incurred upon goods in packages of ordinary size to the "frontier" of the country of purchase. The rate given for goods from "the different states of the German Customs Union (including, I suppose, Rhinish Prussia), was, on dry goods in cases, 3 thalers a case." Nothing is said in that report about commissions. By the "statement" in question, it appears that the adjuster (whoever he was) has stated as "excess" of charges, in respect to the entry per the Asia, all above 2 thalers per case, to wit: excess, thalers 1.14.10, equal to $1, instead of 3 thalers, the rate named in the report.

This difference (between *two* and *three* thalers per case) is perhaps to be explained in this way: On the 21st May, 1863, some five years after the importation in question, the Secretary issued the order before recited, forbidding the addition of charges for "interior transportation," as decided by the courts. On the 4th February, 1864, Mr. Phillips seems to have testified in some case that the charges on such goods, according to his original report as "modified by" the order alluded to, was *two thalers* per case (instead of three), the odd thaler being the expense of freight, and the two thalers covering only the other items, such as boxing, putting on board, and the like.

As to the matter of commissions, it is proper to say that for many years before 1857 the Secretary had ordered, by general regulations, that not less than 2½ per cent. should be added. The law (act of 1842) required the "usual rate" merely, and the courts (very properly) held that the regulation was erroneous; that the Secretary had no power to fix an arbitrary rate. The statement in question makes the excess of commissions added (per the Asia) $3. This was doubtless intended as the difference between 2½ and 2 per cent. (I make the amount some-

what less). What evidence the adjuster had before him that 2 per cent. was the usual rate in Rhinish Prussia does not appear. In a case tried many years since, however (Lottimer *v.* Redfield), it was proved that 2 per cent. was the usual rate upon the continent of Europe except Paris, and this was doubtless the basis of his action.

The protests attached to the entry per the Asia are printed forms without date, pasted upon the back, signed E. Bredt & Co. They are to the following points:

1. Against the addition of freight or charges from Havre to Liverpool, on the ground that Havre was the "port of exportation," and the goods merely went via the latter port.

2. Against the addition of "inland freight," on the ground that the goods were invoiced free on board, and they paid no expense or charges except those contained in the invoice.

3. Against the addition of 2½ or 3 per cent. commissions, on the ground that 2 per cent. only was the usual rate, and claiming that they should not be prejudiced by the fact that 2½ or 3 per cent. is "charged on the invoice," inasmuch as it was so charged "to conform to the requirements at the custom-house."

There are some other points which are not deemed material.

Appended to the protest is a notice that "we desire and intend this protest to apply to all future similar importations made by us."

I have selected the entry per the Asia by way of illustration. The facts in regard to the other entries (some 45 in number) are different in some particulars. I shall allude to them or such of them as are before me as I proceed.

Upon the case thus presented very many questions of law arise. These are of very grave importance, not so much in reference to this case, which involves a small amount comparatively, but because the same questions arise in a vast number of cases now pending in New York, involving, perhaps, millions. In view of this I deem it my duty to state my views somewhat at length, but shall do so as briefly as possible. I may remark that these questions are somewhat difficult and complicated. This is owing mainly, I apprehend, to the fact that importers, or rather the agents and attorneys representing them, have raised very nice points and distinctions, many of them plausible in a high degree, and it is not always easy to show their fallacy in a few words.

These claims for a refund of duty paid on goods imported are not all without merit. The department does not desire to exact duties beyond what express law requires, nor to retain sums exacted in excess. It should be, and is, willing to correct its mistakes of law or fact whenever it can properly do so.

But, on the other hand, excessive exactions may occur which cannot properly be refunded, to refund which would produce more evil than their retention would do. The public good requires that the revenues shall be collected with promptness and certainty, that all controversies as to amount shall be settled at once; and that to this end the party paying shall promptly and distinctly notify the officer and give him fair warning at the time of his claims and objections. If claims can be asserted for the first time after the transaction is closed and at any distance of time, the government can have no possible security for or reliance upon its incomes. Each year's revenue is liable to be frittered away in paying old dues. In transactions between private individuals a party paying money or parting with property without asserting his claims in regard to it or in some way giving warning would be deemed estopped forever.

This is the dictate of common justice. The same rule should apply where the government is a party.

From these considerations, it follows, I think, that claims of this class cannot be allowed unless they come within the strict rules of the law in all respects. The claim or remedy is a statutory one and the statute must be strictly followed.

As to the case under consideration, the first point presented is whether the claim is not barred by the statute of limitations of the State of New York. I understand the claimant insists that it is not; but I can see no ground for such a claim. The fact, if true, that the suit against Schell was supposed to cover the amount is not an excuse for the delay. I can conceive of no other. If, indeed, there was a special agreement beforehand with Mr. Bredt that, if he would not sue, the statute would not be pleaded, and if he refrained from suing on account solely of that agreement, then the statute should not be now set up. But I do not suppose any such agreement was made; and, if I am right in the views hereafter expressed, this seems to me to be peculiarly a case in which a resort to the statute as a means of defense would be proper; that is to say, a case in which the merits are believed to be against the claimant.

Secondly, as regards the item of excessive charges added in the case of the Asia. The protest in respect of that item is, in my judgment, insufficient to warrant the claim now set up or the allowance made. It objects to the addition of *any charges whatever*, on the ground that the goods were purchased *free on board*. The ground of the claim now made is not that an addition of some amount was wrong, but that the amount added was too great. It goes to the degree, not the kind of addition. This is, in my judgment, not within the scope of the protest.

A protest must be specific and to the exact point. It must call the attention of the appraisers and collector to the precise error complained of, in order that they may revise their action. The protest here did not do so at all, but was calculated on the contrary to divert their attention to another and distinct point, and thus actually mislead them. To set up the latter point now is unfair—the party is estopped. This point of excess in amount is to all intents and purposes an after-thought. The importer did not, so far as appears, consider the amount too high. He himself (or his agent) added the amount in the entry, and made oath to its truth. He did not complain of the amount in his protest, or, so far as appears, elsewhere.

The law is very clear and peremptory upon this matter of protest. No claimant can be allowed to set up an objection or claim, in court or elsewhere, not specified therein. Still less can he set up one which he did not think of—"which was not in his mind"—while protesting, nor until long afterward. (See Burgess *vs.* Converse, 2 Curtis R., 223.) I consider, therefore, that no refund whatever can lawfully be made in respect of these charges (by the Asia). I have looked through the other sample entries before me, and I find no protest coming any nearer to the point than that by this vessel.

Third. Even if the protest had objected to the amount, and had done so in the very words of the judgment in the case of Bredt *vs.* Schell, before mentioned, to wit, that the amount was "above those set forth in the report of Isaac Phillips, appraiser, dated October 13, 1856," yet the statement is wrong, for it proceeds upon the basis that 2 thalers per case only is allowable, whereas that report fixes 3. The adjuster has adopted 2 thalers doubtless because Mr. Phillips' report of 1856, "as modified" by action occurring long after these importations, to wit, the

circular of May 21, 1863, made the amount 2. But that modification could have no retroactive effect. The circular could only apply to subsequent transactions.

But, in my judgment, that circular did not modify or change in any manner the rule of law then operative as to charges. It is claimed that it forbade the addition of charges for "inland transportation," as from Barmen to the frontier. Its language is certainly susceptible of being so construed, but, after a careful examination of the subject, I am not clear that it was intended to refer to more than sea-freight (so called) or "coastwise freight," as from Glasgow to Liverpool, Havre to Liverpool, or freight from the frontier of an interior country (as Switzerland) to a sea-port (as Havre). The circular professes merely to follow the decisions of the courts. Those decisions, so far as they can be found, related to the latter kinds of freight, not to "inland freight" proper (as from Barmen to the frontier). Not a case has been discovered in which a judgment was rendered, even by consent, before the date of that circular, for a refund of inland freight proper, except a solitary one in California, which was rendered five years before, and that case is opposed by at least three others decided about the same time. This one decision could scarcely have been the decisions referred to. But whatever may have been the intent of the circular in question, I am of opinion that the law at the time of its issue required the inland freight to be included in the dutiable value of merchandise, and that it was not in the power of the Secretary to exempt it.

I am aware that it is claimed that General Regulations No. 63, issued February 1, 1856, also excludes "inland freight," and in the late case of Benkard & Hutton *vs.* Schell, the court took that view. This is in my judgment wholly wrong. That regulation related also to sea freight alone, in my opinion. It is true that the language as originally draughted would, as I think, include inland freight within its operation; but this is corrected by the *errata*, issued soon after, and now found generally bound with the original. The attention of the court in the case referred to does not seem to have been called to this *errata*. Inland freight has from the earliest periods been held to be a proper charge. No statute ever forbade it. Only one judicial decision ever discountenanced it. It is, therefore, not to be presumed that the department intended to exclude it.

Again, the contemporaneous decisions of the Secretary in special cases, indicate, in reference to the circulars both of 1856 and 1863, that they were intended and understood to apply not to inland freight, but to sea or coastwise freight alone. These facts were not shown to the court in the case alluded to. If they had been, the result must, I think, have been different. In this connection I may say that the letter dated October 4, 1856, a copy of which is attached to the statement as a basis of this claim, relates to the case of A. Iselin & Co., and others, which case, as the records of the department show, was a claim in respect of sea freight. That of the 21st of May, 1858 (also attached), was of the same character, as appears on its face. They have, therefore, no application to the present claim, which has no reference to sea freight.

In view of what I have said, the report of Mr. Phillips made in 1856 was not, in my judgment, modified by subsequent rulings of the department, so that, even if those rulings are to be construed as retroactive, they do not warrant the conclusion that an addition of 3 thalers per case was an excess.

Fourth. For another reason, even if the protest had in terms objected to the amount as exceeding 3 thalers or 2 thalers per case, as fixed by

Phillip's report, yet the claimant should not recover. That report, it will be remembered, was not a law, nor were the amounts named a standard fixed by any law; it gave but the usual average. The law required the charges to be added, meaning clearly the actual charges, those actually incurred on the particular importation. It is to be assumed that the appraisers obeyed this law, and that the amount fixed (th. 3.14.10) was the amount which they, from the evidence adduced before them, found to have been in fact paid. If so, then the appraisers committed no error of law or fact. The insertion of the particular amount by the importer upon the entry, and his oath that the entry set forth the charges truly, was of itself ample evidence; it was a solemn admission, and, as such, conclusive.

On the other hand, if the appraisers found—not the amount actually paid in the particular case, but, in the absence of evidence on that point, found the amount usually paid on such goods, I am inclined to regard their action as conclusive, except upon an appeal to merchant appraisers. Such finding must, I am inclined to think, be considered as an appraisement, a fixing of prices abroad of a nature similar to the appraisement of the ribbons themselves. (Munsell *vs.* Maxwell, 3 Blatch., 364.) If so, an objection that the valuation was incorrect merely as to amount, that the appraisers misjudged in their estimate, cannot avail. (McCall *vs.* Lawrence, 3 Blatch., 362.) Upon this point there may be some doubt, but, for reasons apparent from what I have said, I do not consider it essential.

Fifth. As to the objection that the goods were purchased free on board, I have to say, first, that probably the objection in case of the Asia was not true in fact. I infer this from the fact (1) that the invoice does not show it; (2) the entry shows the reverse; (3) the judgment in the case *vs.* Schell is not upon that ground; and (4) the statement is not based upon that ground. The protest on this ground was doubtless a printed form prepared for other cases and inserted here out of abundant caution. Second, even if true in fact, it is, perhaps, questionable whether the objection could avail the claimant. The law directs that the charges, the expense, shall be added, and it may be urged with force that it matters not by whom they were incurred; that even if the importers did not pay or bear the expense, somebody else did; that the law looks to the goods and their increase of value by labor bestowed upon them, not to the question who pays, or whether any one pays, an equivalent for such labor. Again, it may be said that the importer did in fact pay this expense, or at least part of it, in one form or another. The price which he paid at Barmen included an amount for both the goods and the charges. It is not to be supposed that the exporter made a free gift of the charges. The latter were therefore as much paid as the price of the goods. It is true that, in such a case, if the appraisers took first the invoice price or the market value of the goods, and added thereto the full amount of the charges, there was excess; but I am not clear that, under the circumstances of this case, any relief could be given if this were so.

Sixth. As to the item of excessive commissions (per the Asia), 2½ per cent. was added in making up the dutiable value. The law imposed only the usual rate, whereas the Secretary had fixed a minimum of 2½ per cent. If the appraisers did not, in fact, inquire as to the usual rate, but adopted the arbitrary sum because so ordered by the Secretary, they doubtless erred, and such error would be a ground for relief, provided always that the importer had it "in his mind" (Burgess *vs.* Converse), and pointed it out by a protest at the time.

But it is questionable whether the protest in this case was sufficient. It does not assert that the appraisers adopted an arbitrary sum. It assumes as a fact that a certain rate was added in the invoice, and that the appraisers adopted that sum as conclusive. That assumption is not true in fact, as appears from the face of the invoice, no commissions being added there, and consequently the complaint in that particular is baseless. The complaint (now set up) that they fixed an arbitrary sum named by the Secretary is a different one and is not urged in the protest at all. It cannot lawfully now be regarded. It is a mere afterthought.

On the other hand, it is, perhaps, doubtful whether the objection contained in the protest (against 2½ per cent.), on the ground merely that the usual rate was only 2 per cent. and that 2½ was too high, can be urged as a ground for relief, for the reason that it may be urged, and perhaps held, that the finding of the usual rates, like the finding as to the charges, was a question of fact, of appraisement, in respect of which the appraiser's decision was conclusive, except upon an appeal to merchant appraisers. An error or mistake in estimating the usual cost or value cannot be revised here, there being no violation of law pointed out in the mode or principle of action. (McCall *vs.* Lawrence, 3 Blatch., 362; Belmont *vs.* Lawrence, *ib.*, 119; Crawley *vs.* Maxwell, *ib.*, 404.)

A question merely of market value or usual cost at Barmen at a given time is a question to be decided by evidence, to wit, the testimony of living witnesses and experts, the examination of prices-current, and the like. Such testimony can be produced with facility and tested by cross-examination before the appraisers, on the part of the importer as well as of the government, and they can sit as a tribunal to hear it. The appraisers are a *quasi* jury well fitted to hear and weigh such evidence. The law has afforded all reasonable protection to the importer by giving him the right of second trial on appeal before a new jury, the merchant appraisers. Here the law very properly stops. It does not allow you to re hear that kind of question or to sit as a court to hear evidence. You cannot do so with any sort of facility. Neither does the law allow the courts to revise such a question. The effect of their doing so, or of your doing so, would be simply to give the importer the right to a third trial by jury of a question of mere fact. Justice does not demand this. On the other hand, it would open the door to fraud and perjury. This rule is well settled as to values of the goods themselves, and, as I have intimated, it may be held to apply as well to charges and commissions. If so, a protest, though distinct and specific upon this point, cannot avail. An appeal is the proper remedy where any remedy exists.

Seventh. The question so much mooted as to the legality or effect of a prospective protest is also raised upon this statement, a "prospective" clause being attached to the protest per the Asia.

Upon this branch of the subject I have to remark:

1. Admitting it to be true that a prospective protest may avail in some cases, as for example in case an importer is bringing sugars from Cuba and the question is as to the grade or classification, and the consequent rate of duty, yet the present case is altogether different, and a different rule should govern. In the case supposed the collector is upon the first entry informed of the importer's claims and objections, which are that the sugar he is importing is of such a grade, and so bears such a duty. On the next arrival the collector inspects the sugar with his own eyes; sees it to be of the same description as the first. He is therefore at once, and by his own senses, informed that the case is similar; he has notice of the importer's claim.

The present case is wholly different. The importer upon the entry (per the Asia) asserts, for example, that he bought the goods free on board, and that therefore charges should not be added. This assertion relates, of course, to that particular importation. On the next arrival the collector inspects the goods, but such inspection does not (as in case of the sugar) give him any information as to whether the same fact exists, of a purchase free on board. That is an extraneous fact, occurring, if at all, in Europe. To hold the collector to a knowledge of that fact, simply from a view of the goods, would be absurdly unjust. Notice must be given by some other means, to wit, by a new protest or otherwise.

These prospective protests were at first adopted in reference to questions merely of classification or rate of duty, and they are clearly appropriate only in cases where such questions or others of a simple character arise. If I mistake not, the principal if not the only suits in which they have been held good have been those in which classification was the only point at issue. (Steegman *vs.* Maxwell, 3 Blatch., 365, "thread laces;" Marriott *vs.* Brune, 9 How., 719, sugars.)

The same remarks apply where the claim is as to the amount of charges or commissions actually paid on any particular importation, or as to any other extraneous fact. In all such cases special notice or protest is necessary upon each distinct importation, and the doctrine of prospective protests cannot apply.

2. On several of the subsequent entries I find special protests attached setting up objections different from those upon the Asia. In my judgment such special protests are to be deemed a waiver of the previous prospective one.

In this connection it is proper to remark that a copy of the protest attached to the entry per the Asia is forwarded with the "statement." No copy of any protest upon the subsequent entries is furnished. This one is transmitted for your perusal with a view to show you that the payments of duty upon all the entries were made under due protest. This copy is therefore sent as a sample of the whole, but it is not such a sample. There are, as I have said, protests upon subsequent entries which differ entirely from this. The sending this one form is therefore an unfair exhibition, calculated to mislead. The statement should give the exact form of the protest upon each importation.

I notice that upon the "statement" made up under the judgment in Bredt *vs.* Schell (lately paid in full) a copy of this identical protest per the Asia is attached and is the only one attached. Yet the importation by the Asia was not embraced in the statement, it being prior in date; and doubtless the different protests in that case varied in form quite as much as in the case now in question.

Eighth. By way of illustrating the utter illegality of allowing a refund of duties upon charges, "exceeding Phillips's report," I beg to call attention to an entry selected at random from those before me, that per the Borussia.

The law directs that "the charges" be added, meaning those actually incurred. Now, the invoice in this case shows that the importers were debited (and it is to be presumed paid), on 14 cases for boxes and baling, thalers 21.01, shipping charges 16.80, total 37.81. Phillips's report ("as modified") allows only 2 thalers per case, and the adjuster has followed that rate, allowing 28 thalers; excess thalers 9.81=$7. Phillips's report fixes only the average usual rates as I have said; but the law requires the actual rates—those actually incurred; and where they expressly appear, or are ascertained, no officer or court has a right to go

below them, however much they may exceed the average rates, nor was Phillips's report intended to apply to such a case, or vary that rule.

In this connection it is proper to say, that in the first case I find reported, where the government attorney (Mr. Roosevelt) allowed a verdict to be rendered for "charges exceeding Phillips's report," the case of Gignoux *vs.* Bronson, reported January 26, 1860, the verdict was to include such excess "except where the invoice may show that a higher rate of charges was actually paid."

This exception was retained in the cases subsequent to that, I believe without exception, down to the case of Lottimer *vs.* Redfield (reported by E. Delafield Smith, attorney, May 6, 1861), when it was dropped; and it is not again found in any of the multitude of cases disposed of during Mr. Smith's term. How or why it was dropped I am not informed.

I venture to say that upon every invoice embraced in this statement the importers were, in point of fact, debited and actually paid the full amount of charges added in the entries. If this be true, then to deduct or refund any part is illegal and wrong, whatever Phillips's report may say.

Again, if this be true, the fact demonstrates clearly that this whole claim is, so far at least as charges are concerned, a mere speculation upon the Treasury.

The parties paid the charges in Europe, reported them truly under oath as paid, paid duties thereon, and never thought of complaining that they had been badly treated, or notified the collector to that effect, until long afterward, nor until circumstances subsequently occurring led them to suppose that they could make good the claim they now prefer. If they had heard of Phillips's report, they probably knew it had no application in a case where the amount of charges actually paid was shown. They have since heard of that report, and of some Treasury regulation made long after these importations, and hope now to profit by them. The law does not countenance such claims.

Ninth. I have thus far made no allusion to the requirement of law as to an appeal to the Secretary. The act of March 3, 1857, required such an appeal in addition to a protest or "notice of dissatisfaction." A failure to appeal would consequently be a waiver of a protest. The greater part of the importations embraced within this statement were made after that act went into effect. No appeal, however, was taken in respect to any one of them.

In my opinion an appeal was necessary as a condition-precedent to the existence of any claim in respect of importations after March 3, 1857.

I am aware that a certain letter of Secretary Chase, dated June 9, 1862, addressed to Collector Barney (to which I beg to refer), is relied upon by claimants of this class as dispensing with an appeal. And in the case of Benkard & Hutton *vs.* Schell the judge ruled to that effect. But this claim is, in my judgment, not well founded.

In the first place, in my opinion, the addition of charges to make dutiable value has as much reference to the liability of the "goods, wares, and merchandise" as the finding of the market value of the naked goods. The object of the law is to fix upon a certain amount or sum, a percentage upon which is to be taken as duty. That amount is the sum in dollars at which men, purchasers, consumers, value the goods. They value them at a higher or lower figure (other things being equal) according to the expense or labor already bestowed upon them. If, for instance, the goods have been boxed and transported to the ship, the purchaser values them higher than if he foresaw that he must himself

incur that expense. Charges, therefore, enter into the value of the goods as much as any other item. A person intending to bring goods from abroad values them higher or lower (other things being equal), according to their locality or place. The law, by requiring the addition of charges, in effect fixes that locality as on shipboard. The importer's valuation as at that place is a valuation of the goods themselves, not of the charges as a separate matter. Those charges, or rather the labor which they represent, have become a part, so to speak, of the goods; they are an element of its value. All labor bestowed upon or about goods adds to that value. The value of all goods, as a general thing, depends upon the labor required to produce them. Value is a thing which is not in the goods, but in men's minds. Men, in fixing their estimate, take into view the labor already bestowed and the consequent saving of future labor or expense to themselves. The labor of boxing, transporting, and the like, are taken into view just as much as, and no more than, the labor of weaving the goods, coloring or dyeing them, dressing and labeling them, and the like. Each kind of labor has become embodied in and is a constituent of the "goods."

In view of the whole letter, it is perhaps reasonable to conclude that the Secretary only intended to announce the doctrine I have already suggested in this letter, that the decision of the appraisers as to amounts, as to the fact of foreign cost and value, was one which he could not revise, but which was by law conclusive except upon appeal to merchant appraisers. But if he intended to decide that no error of the appraisers in respect of charges was a subject of appeal, then his decision was, in my judgment, erroneous, and therefore wholly void.

The act of March 3, 1857, section 5, was, in my judgment, intended to cover the ground of previous laws upon the subject of protests and to superadd also the requirement of an appeal. The object of the latter was to enable the Secretary to review the decisions of collectors, and to require that all matters of this kind should be more thoroughly heard within the department before an appeal should be made to the courts. It was intended, I apprehend, that all the points, claims, and objections which before could have been presented to a court under a protest, should be presented to the Secretary and passed upon by him under a "notice" and appeal. This would manifestly include an apparent error in respect of charges.

If the Secretary's letter is to be construed as varying this rule, then it is, in my opinion, void, and must be disregarded as improvidently made. The letter, however, it will be observed, alludes only to "charges," not to "commissions." The latter are a distinct thing, as known in the custom-houses and Treasury. As to them, consequently, the Secretary has given no opinion upon the point in question. Even if his letter is to be held legal as respects charges, an appeal in respect of commissions is yet necessary.

In the case of Benkard & Hutton *vs.* Schell, some question was made as to whether the act of 1857 required an appeal from a decision of the collector as to the amount or rate of duty, the extent of liability, or only one as to the liability or non-liability of the goods. The court held, very properly, as I think, that the law referred to the former as well as the latter. Congress, in my judgment, did not intend to confine the requirement of an appeal to a decision that goods were liable to duty instead of being free; but required it upon a decision that the goods were liable, for instance, to 40 per cent. instead of 30 as claimed (a question of classification); that, in fixing the dutiable value of the goods, certain disputed elements of value should be considered by the appraisers, or the

like. To confine it to a decision of goods liable instead of goods free would, it seems to me, be mere trifling. Controversies on this particular point are extremely rare, as Congress of course knew.

But it must not be overlooked that the letter of the Secretary, to which I have referred, was written June 9, 1862, five years after the importations embraced in the statement. The claimant was certainly not induced by it to forego an appeal. He was of course aware of the law requiring an appeal. He not only made no appeal, but, so far as I can ascertain, no claim whatever in respect of these importations till long after. His suit against Schell was not commenced until October 18, 1860, as the record shows. These facts tend to confirm the belief that the whole claim was an after-thought, suggested for the first time by some decision, ruling, or other circumstance, occurring long after.

Finally, in view of what I have said, I am of opinion that you cannot properly pay the present claim, or any part of it; and that the only remedy of the claimant is by an appeal to Congress, or possibly to the Court of Claims.

If you shall approve the views I have expressed, or determine to act upon them, I suggest that a copy of this letter be forwarded to the collector of customs at New York for his guidance; and I will thank you to inform me of your action.

I return the statement, and have the honor to be,

Very respectfully,

EDWARD JORDAN,
Solicitor of the Treasury.

Hon. H. McCULLOCH,
Secretary of the Treasury.

EXHIBIT No. 6.

DEPARTMENT OF JUSTICE,
OFFICE OF THE SOLICITOR OF THE TREASURY,
Washington, D. C., January 19, 1875.

SIR: I have to acknowledge the receipt of your letter of the 21st instant, transmitting certain reports, nine in number, for refund of duties claimed by the several parties claimant to have been paid in excess on charges and commissions, and requesting an examination on my part as to the legal necessity of payment as reported.

These reports have been made by the referee under order of the United States circuit court for the southern district of New York, the reference having been made at the instance of the United States, and upon those reports judgments have been rendered by that court in favor of the respective plaintiffs for the amounts found due by the referee, together with costs.

The question whether writs of error should be prosecuted in the Supreme Court in this class of cases, known as the charges and commissions cases, was submitted to the Attorney-General by yourself on the 10th of June last, and that officer gave it as his opinion that the United States should not bring writs of error in the cases referred to. Information of this opinion was communicated also by yourself to the district attorney at New York in charge of the cases, and that officer was instructed accordingly, but with the qualification that the parties in interest agree to abandon the issue made by them as to the validity of

protests addressed to one collector as against his successor or successors in office.

I understand that these reports and the judgments founded thereon are based on those instructions, and were made up in accordance therewith. It would seem, therefore, that the claim should be paid by the United States, as the judgments are final; otherwise, the estates of the respective defendants will doubtless be levied upon by legal process in satisfaction of the same; for I understand that, in this class of cases, it has not been usual to obtain certificates of probable cause for the protection of these parties.

But just here we are met with the difficulty that there is no appropriation for such payment.

The authority of law for a refund of duties is to be found in section 3012½ of the Revised Statutes of the United States, as follows:

> Whenever it shall be shown to the satisfaction of the Secretary of the Treasury that in any case of unascertained duties, or duties or other moneys paid under protest and appeal, as hereinbefore provided, more money has been paid to the collector, or person acting as such, than the law requires should have been paid, the Secretary of the Treasury shall draw his warrant upon the Treasurer in favor of the person entitled to the overpayment, directing the Treasurer to refund the same out of any money in the Treasury not otherwise appropriated.

Again, by the 989th section of the Revised Statutes, it is provided that—

> When a recovery is had in any suit or proceeding against a collector or other officer of the revenue for any act done by him, for the recovery of any money exacted by or paid to him and by him paid into the Treasury, in the performance of his official duty, and the court certifies that there was probable cause for the act done by the collector or other officer, or that he acted under the direction of the Secretary of the Treasury or other proper officer of the government, no execution shall issue against such collector or other officer, but the amount so recovered shall, upon final judgment, be provided for and paid out of the proper appropriation from the Treasury.

In passing, the inquiry is a very proper one whether a certificate of probable cause, or that the officer acted in the collection of the duties under proper direction, is not a condition-precedent to any action of the Secretary of the Treasury looking to the payment of judgments, such as the ones in question, even if there should be an appropriation applicable.

The appropriation applicable to a refund of duties, as provided in section 3012½, is that authorized by section 3689 of the Revised Statutes, and is styled by the law a permanent annual appropriation, viz:

> There are appropriated out of any moneys in the Treasury not otherwise appropriated, for the purposes hereinafter specified, such sums as may be necessary for the same, respectively: * * *
>
> To repay to importers the excess of deposits for unascertained duties, or duties or other moneys paid under protest.

A strict construction of the section authorizing a refund in such cases where there have been protest and appeal, or where there has been an omission of these features from circumstances not under the control of the importer, would, as it seems to me, limit the action of the Secretary of the Treasury to the cases alone which come to him directly on appeal from the decision of the collector of customs.

I do not think, strictly speaking, that it authorizes him to refund where the right of the importer has been established by the courts. In such cases the statute points out a remedy specially applicable, and to this I think the importer or claimant should resort. It is contained in the section before quoted, viz, 989.

That this section is specially applicable to cases like those under consideration is evident. In these cases a recovery has been had in a suit

or proceeding against a collector, and such recovery has been had for money exacted by or paid to him and by him paid into the Treasury. The judgments are final, and they embrace not only the amount of duties claimed to have been exacted in excess, but interest on the same and costs, which form the larger portion of the claim.

That the other section referred to, authorizing the Secretary of the Treasury to refund, is not applicable, is likewise evident. For although that officer is so authorized to refund duties paid in excess, it gives him no authority to pay interest or costs, or any other amount than that actually paid into the Treasury.

The appropriation provided for the purpose of giving effect to the authority contained in the section last referred to by its own terms is likewise limited to the payment of duties or other moneys paid under protest.

Section 989, providing for the payment of judgments, such as those in question, assumes that there is an appropriation applicable, but I am not aware of any.

Accordingly, I do not see how the Secretary of the Treasury can pay the claims, notwithstanding, as I have before stated, that they constitute a proper charge upon the government.

In conclusion, I deem it proper to say that the views herein expressed are in conflict with the past practice of the Treasury Department in this class of cases, as well of the present Secretary of the Treasury as of his predecessors, and it is for yourself to decide whether you will still adhere to that practice or remit the parties for relief to Congress for an appropriation specially applicable.

I am, very respectfully,

BLUFORD WILSON,
Solicitor of the Treasury.

Hon. B. H. BRISTOW,
Secretary of the Treasury.

EXHIBIT NO. 7.

The within is a copy of a letter prepared by the Solicitor's Office for submission to the Attorney-General in regard to the charges and commissions cases under the direction of Secretary Bristow. The accession of Mr. Morrill to the position of Secretary prevented the fulfillment of the original design of sending this letter. It is retained as being a good history of the charges and commissions cases.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., August 14, 1876.

SIR: I have the honor to state that by the act of March 3, 1851, collectors of customs were required to cause the actual market value, or wholesale price of goods imported into the United States, to be appraised, and to add to such value or price all costs and charges, except insurance, including in every case a charge for commissions at the usual rates, as the true value thereof at the port of entry. This act remained in force until June 30, 1864.

During this time, under the act in question, the Treasury Department required to be added to the value of goods imported not less than two and one-half per cent. commissions.

It also required to be added all charges except insurance which had accrued prior to the time the goods left the last port or place in the foreign country, including the cost of transportation, inland or coastwise, whether such place of setting out and place of final departure were in the same or different countries.

It also required, in cases where goods had been purchased to be delivered free on board, that is purchased to be delivered on board ship at a stipulated price and free of all charges not embraced in such price, such sums as were the usual charges in the countries where the goods were purchased, differing in respect to goods coming from different countries.

With regard to these exactions, the importers claimed, first, that they were required to add only the usual commissions, whether greater or less than two and a half per cent.; second, that only such charges should be added as accrued before the merchandise set out on a determined destination to the United States, and that in cases where goods were purchased "free on board," nothing on account of charges could be required to be added.

To the exactions thus made by the Treasury Department the importers protested, relying, in making their protests, on what is termed "prospective protests;" that is to say, protests against particular decisions, with a clause declaring it to be the desire and the intention of the importer that such protests shall apply to all future cases of like character. It was claimed by the importers that a protest of this character, filed with one collector of customs, was valid against his successor in office.

Having protested, however, in this way, no appeal was made to the Secretary from the decision of the collector adverse to the claim, but suit was begun without making such appeal.

Under the construction placed upon the act of 1851 by the Treasury Department, a large number of suits now known as the charges and commissions suits, were brought against collectors of customs, at the port of New York, to recover the duties claimed, for the reasons given, to have been illegally exacted, the amount of which duties aggregated over two millions of dollars.

One of these suits, viz, Hutton *vs.* Schell, was tried before the circuit court for the southern district of New York in 1868, in which all of the questions to which I have alluded were argued and decided adverse to the claim of the United States. (6 Blatch., 48.)

In the case of Gibbs *vs.* Washington, tried in the circuit court of California in 1858 the court held that charges for transportation of goods from the interior of the country, by railroad or water carriage, incurred prior to the time of exportation, cannot be added to the value of the goods under the act of March 3, 1851. (1 McAllister, 430.)

A Treasury circular was issued on the 21st May, 1863, while Mr. Chase was Secretary of the Treasury, concurring in the decisions of the courts, viz: that charges for transportation of goods from the interior, by railroad or water carriage, were not to be added for the purpose of establishing their dutiable value.

The circular also stated that it had been decided that the usual and legal rate of commissions on merchandise from Great Britain was one and a half per cent. from Continental Europe, except Paris, two per cent., and that the department concurred therein.

The action of the Treasury Department seems to have been in accordance with the rulings of the court. It has in no instance directed an appeal to be taken to the Supreme Court on any of the questions arising

under this act, and different secretaries have, from time to time, since the date of the circular referred to, ordered refunds of duties exacted, such refund amounting in the aggregate to about one million seven hundred thousand dollars.

While, however, so large an amount has been refunded, there still remain over five hundred suits undetermined, involving over five hundred thousand dollars.

On the 11th of May, 1874, the United States attorney, Mr. Bliss, in a report to the Secretary of the Treasury, in which he expresses himself with some earnestness against the manner in which the various questions arising in these cases have been disposed of by the courts and the department, requests that he may be authorized to take writs of error in a sufficient number of them to present fairly the points involved to the proper court.

In a subsequent letter of June 4, 1874, in reply to one from the Secretary asking him to report what particular questions he desired to present, he answered that the ones which seemed especially important are—

1. The entire question of what are dutiable charges under the act of March 3, 1851.

2. When goods have been invoiced free on board, it has been the practice since Benkhard *vs.* Schell to refund duties paid on charges added by importers by compulsion to make market-value. This point should be reviewed.

3. The sufficiency of a continuous or a prospective protest should be considered—if good, to what extent.

4. The question whether a protest addressed to one collector is applicable to his successor.

5. The necessity of an appeal under the act of 1857.

On the 10th of June, following, the Secretary of the Treasury referred the matter to the Attorney-General, and requested to be informed whether the points of law raised by the district attorney were of sufficient importance to justify the department in suing out a writ of error to obtain the judgment of the Supreme Court in regard thereto.

On the 25, following, the Attorney-General replied, stating substantially that he understood that the question was interesting to the government only so far as regards transactions now past; that while some of the principles established by former Secretaries as well as by the circuit court might well in former years have been brought by the government before the Supreme Court—

> The propriety of doing so at present makes a very different question, inasmuch as those principles have been acquiesced in for year after year, and have formed the basis upon which vast amounts of business have been transacted in good faith between the government on the one side and importers on the other; the more so that, as said above, under the recent change of legislation the reversal of that series of decisions is not to affect the future business.
>
> The question as to what charges and commissions appraisers were, before the statute of June 30, 1864, to include in ascertaining the dutiable value of goods imported, is somewhat a different one. If that question had not been set at rest for the future by the above legislation (13 Stat. at L., 217, sec. 24), there might be no objection to have it reconsidered. It was under the previous statute debatable and some time since would have justified officers of the government in bringing it before the Supreme Court. As it is, however, the vast majority of the cases presenting the question has uniformly been decided by Secretaries and by the courts adversely to the government. It is not improbable that such decisions were correct. At all events, it is hardly seemly to question their application to that comparatively small remnant of cases upon which the old law still operates.

On receipt of this decision, the Secretary of the Treasury wrote to the United States attorney, concurring therein, and directed writs of error

not to be sued out, if plaintiffs would stipulate, in writing, to abandon the point that protests filed with one collector were binding on his successor in office.

In August, 1874, such stipulation was filed, and all the suits sent to the referee; but in May following, the United States attorney was directed to have the reference vacated and the question involved in them taken to the Supreme Court, on the ground, as stated by the Secretary, that his concurrence in the opinion of the Attorney-General had been based upon representations made to him by counsel of plaintiffs, that there was but a remnant of the cases left, and these had gone to judgment, which was not the fact.

The attempt to vacate the reference was resisted by plaintiffs, on the ground that the government could not in good faith appeal after the letter of the Secretary directing no appeal to be taken if the stipulation referred to was filed. The court, therefore, refused to vacate the order, and no appeal or writ of error has yet been taken in any of the cases.

In view of the facts detailed and the further one that the opinion of the Attorney-General seems based in some degree upon the idea that the present interest of the government in these cases was but comparatively small, I have the honor to submit again for your consideration the different questions to which I have referred in detail, and to ask your opinion whether it is for the interest of the government that any or all of the suits should be taken by writ of error to the Supreme Court for the purpose of obtaining a final decision thereon.

Very respectfully,

———— ————,

Secretary.

Hon. A. TAFT,

Attorney-General.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 28.

SANITARY REPORT OF SURGEON AT WEST POINT, N. Y.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

A letter of advice from the surgeon at West Point, N. Y.

JANUARY 11, 1878.—Referred to the Committee on Appropriations and ordered to be printed.

WAR DEPARTMENT,
January 5, 1878.

The Secretary of War has the honor to transmit herewith, to the House of Representatives, for the information of the Committee on Appropriations, the letter of advice accompanying the sanitary report of the surgeon at West Point, N. Y., which, under the regulations, is made annually to enable the Surgeon-General to compare the various conditions affecting health which prevail at the posts occupied throughout the Army. I also inclose a few extracts from the report itself. It is evident that the malarial and catarrhal affections at a location naturally so salubrious, so elevated, and so airy as West Point must be in great part due to local causes, such as the defective drainage alluded to in the report.

I take this to be a strong argument to urge in favor of the passage of the appropriations, in the military academy bill, for drainage and hospital purposes, which have heretofore been stricken out. The health of the young wards of the nation is of too serious importance to be disregarded, and the sanitary influences it is sought to remedy, may, as in some instances they are known to have done, when brought to bear upon youths whose growth and constitutions are not yet matured, be permanently injurious.

GEO. W. MCCRARY,
Secretary of War.

WEST POINT, NEW YORK,
January 3, 1878.

GENERAL: In accordance with the requirements of General Order No. 125, series of 1874, from the War Department, I have the honor to transmit herewith the sanitary report of West Point, N. Y., for the year ending December 31, 1877.

Despite the presence of a number of cases of measles and some few sporadic cases of other contagious diseases, from time to time, during the year, the sanitary condition of the station has been satisfactory.

Owing to the limited character of the water-supply for, and the incomplete system of sewerage and drainage at, the station, a system of hygienic police, in keeping with the wants of the garrison and the reputation of this, the oldest and most important military station in the country, is impracticable until such time as Congress shall appropriate means to insure throughout the year an adequate supply of fresh, wholesome water, and a system of sewerage based upon modern experience in sanitary science.

Very respectfully, your obedient servant,

B. J. D. IRWIN,
Surgeon and Brevet Colonel, United States Army.

SURGEON-GENERAL *United States Army, Washington, D. C.,*
(Through Department Commander.)

[*Extracts from the sanitary report of Surgeon B. J. D. Irwin, post surgeon of the Department of West Point, for the year ending December* 31, 1877.]

"*Hospital buildings.*—Cadets' hospital same as heretofore described. Some necessary minor repairs done. The walls of the executive building and north wing of hospital remain unfinished and are deteriorating by exposure to the rain, frost, and disintegrating effects of the inclement weather."

"*Prevalent diseases at post and vicinity.*—Malarial fever and catarrh."

"*Diseases of local origin.*—Malarial fevers."

"*Drainage and sewage.*—As described in 1875 and 1876. No money having been appropriated, the system of drainage and sewage has remained *in statu quo.*"

"*Remarks.*—The completion of the new hospital for cadets is a matter of the most urgent necessity. The want of a sufficient and suitable accommodation for the treatment of sick cadets has been felt very much during the prevalence of an epidemic of measles at the station, the contagious nature of the disease rendering it necessary to devote the very limited number of beds to the use of those suffering with that malady as shown in preceding report."

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 29.

CIVIL EMPLOYÉS IN NAVY DEPARTMENT.

LETTER

FROM

THE SECRETARY OF THE NAVY,

TRANSMITTING

A list of civil employés in that department for the year ended December 31, 1877.

JANUARY 11, 1878.—Referred to the Committee on Appropriations and ordered to be printed.

NAVY DEPARTMENT,
Washington, January 10, 1878.

SIR: I have the honor to submit herewith, in compliance with the eleventh section of the act of Congress, approved August 26, 1842, a statement of the civil employés of this department during the year ended December 31, 1877, together with the time each clerk was actually employed, and the sums paid to each; also a statement of employés for temporary clerical service under the second section of the act approved August 15, 1876.

All of the positions referred to were authorized by law, and the necessary appropriations made therefor.

The force of the department has been usefully employed, and the services of the full number cannot, I think, be dispensed with without detriment to the public service.

Very respectfully,

R. W. THOMPSON,
Secretary of the Navy.

Hon. SAMUEL. J. RANDALL,
Speaker of the House of Representatives.

Statement of the civil employés of the Navy Department and bureaus thereof during the year 1877, prepared in compliance with the eleventh section of the act of Congress approved August 20, 1842.

Office and name.	Position.	Salary.	Time employed.	Sum paid.
Office of the Secretary of the Navy.				
John W. Hogg	Chief clerk	$2,500	Whole year	$2,500 00
F. H. Stickney	Disbursing clerk	2,000	do	2,000 00
William P. Moran	Fourth-class clerk	1,800	do	1,800 00
W. S. McNairy	do	1,800	do	1,800 00
Jesse E. Dow	do	1,800	do	1,800 00
C. W. Tyson	do	1,800	January 1 to April 1	598 30
H. G. Thompson	do	1,800	April 1 to December 31	1,201 70
H. S. Bowen	Third-class clerk	1,600	Whole year	1,600 00
Wythe Denby	do	1,600	do	1,600 00
Joseph E. Potts	do	1,600	do	1,600 00
H. W. King	Second-class clerk	1,400	do	1,400 00
George W. Blake	First-class clerk	1,200	do	1,200 00
John Cassin	do	1,200	do	1,200 00
Lindsay Muse	Messenger	840	do	840 00
William Pierre	do	840	do	840 00
John M. Evans	Laborer	720	do	720 00
Henry Wigginton	do	720	do	720 00
Bureau of Yards and Docks.				
A. E. Merritt	Chief clerk	1,800	Whole year	1,800 00
E. S. Friederich	Draughtsman	1,800	January 1 to September 30	1,350 00
George Mackay	do	1,800	October 1 to December 31	450 00
D. J. Partello	Fourth-class clerk	1,800	Whole year	1,800 00
R. H. Yeatman	Third-class clerk	1,600	do	1,600 00
Charles Fair	do	1,600	do	1,600 00
J. W. Graham	Second-class clerk	1,400	do	1,400 00
J. A. Kinsley	First-class clerk	1,200	do	1,200 00
Nathan Addison	Messenger	840	do	840 00
Frederick Mason	Laborer	720	do	720 00
Bureau of Medicine and Surgery.				
Daniel Carrigan	Chief clerk	1,800	Whole year	1,800 00
E. C. Kirkwood	Third-class clerk	1,600	do	1,600 00
M. B. Clark	Messenger	840	do	840 00
Henry Clay	Laborer	720	do	720 00
Bureau of Navigation.				
Louis Waldecker	Chief clerk	1,800	Whole year	1,800 00
D. A. Dennison	Third-class clerk	1,600	do	1,600 00
R. A. Cheyney	Second-class clerk	1,400	do	1,400 00
W. L. G. Foot	Messenger	840	do	840 00
John A. Smith	Laborer	720	do	720 00
Bureau of Construction and Repair.				
H. A. Goldsborough	Chief clerk	1,800	Whole year	1,800 00
Richard Powell	Draughtsman	1,800	do	1,800 00
B. T. Hanley	Fourth-class clerk	1,800	January 1 to July 5	924 46
R. Knapp	do	1,800	July 6 to December 31	875 54
Do	Third-class clerk	1,600	January 1 to July 5	821 74
C. L. Hughes	do	1,600	July 6 to December 31	778 26
Do	Second-class clerk	1,400	January 1 to July 5	719 02
T. J. Lasier	do	1,400	July 6 to December 31	680 98
O. C. Fisher	Messenger	840	Whole year	840 00
John Simms	Laborer	720	January 1 to March 17	152 00
Newton Tomer	do	720	March 18 to December 31	568 00
Navy Department Building.				
F. H. Stickney	Superintendent	250	Whole year	250 00
J. B. Harrison	Watchman	720	January 1 to July 31	420 60
Raip Hunter	do	720	January 1 to April 30	239 30
J. R. Donnelly	do	720	January 1 to September 30	540 00
John Reinburg	do	720	January 1 to April 30	239 30
J. M. Waters	do	720	January 1 to April 30	239 30
J. P. Lucas	do	720	May 1 to December 31	480 70
W. A. Torry	do	720	October 1 to December 31	180 00
Antonio Biondi	do	720	August 1 to December 31	299 40
U. R. Browne	do	720	May 1 to July 31	181 30
John Howlett	do	720	May 1 to December 31	480 70
L. R. Jones	do	720	August 1 to December 31	299 40
William Herbert	Laborer	720	Whole year	720 00
Overton Bond	do	720	do	720 00

Statement of the civil employés of the Navy Department, &c.—Continued.

Office and name.	Position.	Salary.	Time employed.	Sum paid.
Temporary clerks.				
T. J. Lasier	Clerk	$1,200	January 1 to May 31	$498 90
Do	do	1,500	June 1 to June 30	125 00
Benjamin White	do	900	January 1 to May 31	382 80
Do	do	1,200	June 1 to June 30	100 00
Daniel Clarke	do	1,000	January 1 to April 30	332 40
F. L. Stickney	do	900	January 1 to June 30	450 80
H. S. Wetmore	do	900	January 1 to March 31	225 00
F. M. Kellinger	do	900	do	225 00
F. Cunningham	do	1,000	January 1 to January 15	41 67
Do	do	900	January 16 to June 30	411 70
R. Prentice	do	900	April 1 to May 31	149 20
Do	do	1,200	June 1 to June 30	100 00
A. D. Wilcox	do	1,200	do	100 00
W. F. Beedle	do	800	do	67 88
William M. Ellis	do	720	do	60 00
Antonio Biondi	do	720	do	60 00
William Wilkes	do	720	do	60 00
Bureau of Provisions and Clothing.				
J. T. Denson	Chief clerk	1,800	Whole year	1,800 00
J. W. Moorhead	Fourth-class clerk	1,800	do	1,800 00
J. K. Lewis	Third-class clerk	1,600	do	1,600 00
W. H. Doe	do	1,600	do	1,600 00
H. H. Tilley	Second-class clerk	1,400	do	1,400 00
Frank Hamilton	do	1,400	do	1,400 00
A. T. Jenckes	First-class clerk	1,200	do	1,200 00
H. E. Quinn	do	1,200	{ January 1 to May 10 .. } { August 1 to Dec. 31 .. }	930 77
Charles D. Green	do	1,200	May 11 to June 30	168 13
A. R. S. Foote	do	1,200	July 1 to July 31	101 10
W. S. Benseman	do	1,200	Whole year	1,200 00
William Lucas	Messenger	840	do	840 00
Samuel West	Laborer	720	do	720 00
Bureau of Equipment and Recruiting.				
S. Henriques	Chief clerk	1,800	Whole year	1,800 00
W. W. S. Dyre	Fourth-class clerk	1,800	do	1,800 00
James Patterson	Third-class clerk	1,600	do	1,600 00
D. C. Morrison	Second-class clerk	1,400	do	1,400 00
R. A. Church	do	1,400	do	1,400 00
J. E. Alexander	First-class clerk	1,200	January 1 to June 30	600 00
E. A. Roderick	do	1,200	do	600 00
S. T. Dyre	Messenger	840	Whole year	840 00
Benjamin Harris	Laborer	720	do	720 00
Bureau of Ordnance.				
S. T. Ellis	Chief clerk	1,800	Whole year	1,800 00
C. K. Stellwagen	Fourth-class clerk	1,800	do	1,800 00
Thad. K. Sailer	Third-class clerk	1,600	do	1,600 00
J. R. Gisburne	Second-class clerk	1,400	do	1,400 00
J. D. Doyle	do	1,400	do	1,400 00
C. H. Middleton	Messenger	840	do	840 00
G. A. Simms	Laborer	720	do	720 00
Bureau of Steam-Engineering.				
W. H. H. Smith	Chief clerk	1,800	Whole year	1,800 00
George B. Whiting	Draughtsman	1,800	do	1,800 00
George Schultz	Second-class clerk	1,400	do	1,400 00
James D. Cole	Assistant draughtsman	1,200	do	1,200 00
L. G. Bowden	do	1,200	May 1 to August 31	400 00
C. L. Kelsey	do	1,200	do	400 00
J. H. Hoagland	Messenger	840	Whole year	840 00
Robert Iverson	Laborer	720	do	720 00

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 30.

THE VENEZUELAN MIXED-CLAIMS COMMISSION.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

IN ANSWER TO

A resolution of the House of Representatives, transmitting the recent correspondence between the Governments of Venezuela and the United States in relation to the Venezuelan mixed-claims commission..

JANUARY 14, 1878.—Referred to the Committee on Foreign Affairs and ordered to be printed.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 3d ultimo, requesting to be furnished with the correspondence between the Government of Venezuela and that of the United States, had since the adjournment of the first session of the Forty-fourth Congress, in relation to the Venezuelan mixed-claims commission, I transmit a report of the Secretary of State, together with its accompanying documents.

R. B. HAYES.

WASHINGTON, *January* 10, 1878.

DEPARTMENT OF STATE,
Washington, January 10, 1878.

The Secretary of State, to whom was referred the resolution of the House of Representatives of the 3d ultimo, requesting the President to transmit to that body, "if not incompatible with public interests, the correspondence between the Government of Venezuela and the Government of the United States since the adjournment of the first session of the Forty-fourth Congress, in relation to the Venezuela mixed commission and the claims of citizens of the United States against that government which were allowed by that commission," has the honor to lay before the President the papers mentioned in the subjoined list.

WM. M. EVARTS.

To THE PRESIDENT.

List of accompanying papers.

Mr. Russell to Mr. Fish, No. 144, May 18, 1876, with an accompaniment.
Same to same, No. 155, June 9, 1876, with an accompaniment.
Mr. Fish to Mr. Russell, No. 98, July 11, 1876.
Mr. Russell to Mr. Fish, No. 163, June 21, 1876.
Same to same, No. 172, August 2, 1877 [extract], with accompaniments.
Same to same, No. 180, August 22, 1876 [extract], with accompaniments.
Mr. Hunter to Mr. Russell, No. 115, September 23, 1876.
Mr. Russell to Mr. Fish, No. 194, October 19, 1876 [extract], with an accompaniment.
Same to same, No. 201, December 18, 1876, with an accompaniment.
Mr. Fish to Mr. Russell, No. 126, January 12, 1877.
Mr. Russell to Mr. Fish, No. 219, February 22, 1877 [extract].
Mr. Russell to Mr. Evarts, No. 221, March 14, 1877 [extract].
Mr. Dalla Costa to Mr. Evarts, November 3, 1877, with an accompaniment.

Mr. Russell to Mr. Fish.

No. 144.] LEGATION OF THE UNITED STATES,
Caracas, May 18, 1876. (Received June 14.)

SIR: I have the honor to inclose the draught of a law now pending in Congress, for funding the diplomatic debt. A translation is annexed. It is the measure which the President in his message said he would recommend but for the pending question on American claims. As it is a government measure, it may be taken for granted that it will become law. It was brought to the legation by the porter of the foreign office.

One object of this law is supposed to be to change the character of the claims now ascertained and admitted, so that they shall no longer be diplomatic claims, founded on treaties, and by the usage of nations capable of being enforced by arms. It is thought that liabilities founded in contract, and in form payable to bearer, would not be so enforced.

As to the value of the proposed certificates, I would say that certificates of the consolidated debt, on which interest at the rate of 5 per cent. per annum is regularly paid every month, are now sold for 8 per cent. of their face. They will rise a little if peace continues, and will probably fall when General Guzman ceases to be President. These certificates would not be worth so much.

A similar attempt was made about thirty years since with certain Spanish claims. The market value of these certificates fell to 1 per cent. and lower.

It will be noticed that 3 per cent. is substituted for the 5 per cent. interest which is called for by the treaty. It will be seen, also, that every order, "*disposicion*," conflicting with this law is set aside. This general word is supposed to include treaties.

It is also to be remarked that our claims are to be funded "without prejudice" to the desired revision of the awards of the Mixed Commission. How this is to be done while the certificates are payable to bearer I have not been able to learn.

I have thought it premature to inquire whether the original amount awarded is to be increased by accumulated interest in the liquidation preparatory to the issuing of certificates.

I have doubted whether the Executive power of the United States could accept this "substituted performance" of the obligations of the treaty of 1866, although by the words of the act of February 25, 1873, only "the adjudication of claims" is declared to be final and conclusive.

The question is of course to be decided by the Executive. And if it is thought proper, I should be glad to receive from the Department instructions in advance, as to the question whether the United States will accept certificates of indebtedness payable, with 3 per cent. interest, to the bearer, instead of the payment to the United States of America of the amount of the awards in ten years with 5 per cent. interest, as provided by the treaty.

I have, &c.,

THOMAS RUSSELL.

[Inclosure in No. 144.—Translation.]

DRAUGHT OF THE FUNDING ACT.

The Congress of the United States of Venezuela decrees:

ARTICLE 1. On the 30th of June proximo, proceedings shall be taken to liquidate what the republic owes to the respective nations for foreign reclamations, which are now paid with the product of the revenue applied to their extinction—which are the following: 1. The French, arranged by the convention of 1864. 2. The English, in 1868 and 1869. 3. The Danish, in 1858, 1865, and 1867. 4. The Spanish, in 1874. 5. The Dutch before April, 1870, and the North American; these last without prejudice to the revision lawfully sought by the Government of Venezuela.

§ 1 and only. Also, liquidation shall be made of the English and French claims, whose amount has been ordered to be incorporated with that of the former claims by legislative decree of May 23rd of the current year.

ART. 2. The executive power shall issue, for the amount of said claim, certificates bearing interest of 3 per cent. annually, which shall begin to run from the 1st of July of the current year.

ART. 3. The payment of interest and the extinction of the capital by auction sales shall be made with the product of the 13 per cent. of the forty units of the customs revenue applied to the payment of foreign claims by the law of November 30, 1872.

ART. 4. The commission of public credit shall make the liquidation which article 1 and its paragraph provides for, and shall issue, also, the certificates in sums of a thousand, five hundred, or one hundred venezolanos, or remainders less than this sum, in the following form:

"*United States of Venezuela, national debt of* 13 *per cent. by diplomatic treaties.*

"Series ——, page ——, number ——, amount ——.

"The United States of Venezuela recognize as national debt due by diplomatic treaties with annual interest at 3 per cent. in favor of the bearer, the sum of V. ———.

"For the payment of the interest and the extinction of the capital, there is set apart the product of the 13 per cent. of the forty units of the customs revenue applied to the payment of foreign claims by the law of November 30, 1872, as to the distribution of that revenue."

ART. 5. Although the certificates shall be issued in favor of the bearer, they shall be delivered to the respective legations which are creditors, to the end that they may either keep them in their power to collect the interest and offer said certificates at the auctions for extinction, or distribute them with the same object among the parties in interest.

ART. 6. The interest shall be paid each four months, counting from the 1st of next July, and the certificates shall bear coupons for thirty-six thirds of a year (periods of four months). The commission shall cut the coupons as they have opportunity, and draw for their value against the treasury of public service, which shall have at its disposal the funds applied for the execution of this law.

ART. 7. When the interest in each four months is paid, whatever balance remains of the product of the 13 per cent. shall be divided into three equal parts, and each part shall be applied to the extinction of the certificates by means of auctions, which shall take place in each of the three following months.

ART. 8. For the issuing of the certificates and their extinction, and for the payment of the coupons, the commission shall observe the proceeding and the forms which the law on public credit, passed June 6, 1874, establishes.

ART. 9. Every order contrary to this law is repealed.

Given, &c.

Signed by the committee.

Mr. Russell to Mr. Fish.

No. 155.] LEGATION OF THE UNITED STATES,
Caracas, June 9, 1876. (Received June 30.)

SIR: I have the honor to inclose a note from Dr. Blanco, with a translation, informing me of the passage of the funding act. I learn from him that it is intended to offer this "form of payment" for the acceptance of the creditor nations, and that this government does not claim that a treaty can be set aside by the legislation of one of the parties thereto.

It is the intention of government to deliver to the United States of America certificates corresponding to the whole amount of the awards, with deduction of payments already made. Dr. Blanco could not inform me whether past interest would be added to the amount awarded in computing the new capital.

The President proposes that legations having a larger amount of interest than 3 per cent. pledged to them, should secure their rights by protesting. As I have in No. 144 inclosed a copy of the bill, with a translation, I do not suppose it necessary to do so again.

I have, &c.,

THOMAS RUSSELL.

[Inclosure 2 in No. 155.—Translation.]

Dr. Blanco's note on the funding bill.

CARACAS, *June* 6, 1876.

In the inclosed number 851 of the Official Gazette is published the legislative decree of the 29th of May last on debts arising from foreign claims. In said act the liquidation is ordered of the balances existing on the 30th of this month, and the President is advised to issue for them certificates payable to bearer, with an annual interest of 3 per cent., payable in periods of four months. For this purpose there is destined the product of the thirteen unities of the forty of the customs revenue applied since 1872 to the payment of diplomatic debts, with the addition of paying the capital with the remainder of this fund, after the payment of the coupons, by monthly auctions.

I have the honor to bring this to the knowledge of your excellency, as one of the representatives of the creditors of which the law treats whose chief clauses I have just stated.

I renew to your excellency, &c.

JESUS MA. BLANCO.

Hon. Señor THOMAS RUSSELL, &c.

Mr. Fish to Mr. Russell.

No. 98.] DEPARTMENT OF STATE,
Washington, July 11, 1876.

SIR: Your dispatch No. 155, of the 9th ultimo, announcing the passage by the Venezuelan Congress of the funding bill, so called, has been received. It is not deemed expedient that you should receive the certificates which you say that government proposes to offer to the United States, pursuant to the act, until the Department shall be furnished with more ample information on the subject. In no event, however, could their receipt in discharge of the balance due pursuant to the awards of the joint commission, under the convention of 1866, be authorized without the express consent of the holders of the certificates issued by that commission. Those certificates being payable to bearer are necessarily much dispersed, a majority in amount probably being in the hands of parties other than those in whose favor the awards were made. This

would increase the difficulty in ascertaining the pleasure of the holders on the subject. It would also be desirable to know whether the proposed Venezuelan certificates will include the amount of interest as well as the principal for which that government is in arrears on account of the awards adverted to.

There are also other adjusted claims, balances of which still remain unpaid by the Venezuelan Government. Parties interested in them frequently apply to the Department for information as to the prospect for their receiving the sum due. Among the claims so situated is that of Mr. Underwood, in the case of the Horatio, and the estate of Thomas Lloyd Halsey, in the case of the Constantia. Is it intended that the certificates should be offered in payment of the balances due in those and other cases?

I am, &c.,

HAMILTON FISH.

Mr. Russell to Mr. Fish.

No. 163.] LEGATION OF THE UNITED STATES,
Caracas, June 21, 1876. (Received July 20.)

SIR: I have the honor to report an important fact as to the mixed commission. I have never had occasion to discuss the awards here, or with the Department. But I learn that the matter may become a subject of legislation; and if the question should arise whether all the awards should be revised, it has seemed to me that the Department ought to be informed that Mr. Villafañe, whom the Venezuelan Government charge with gross fraud in this matter, is now, and has been almost all the time since the session of the commission, in a position of trust and honor. He is at present charged with the construction of an important road in the mountainous region of Tachira, and with the expenditure of money therefor, holding this post by the appointment of President Guzman Blanco.

It is unnecessary to point out the bearing of this fact on the charge that he was a bribed and corrupt judge.

This may not arrive in time for use, or it may not be thought desirable to use the fact; but the knowledge of it by the department can do no harm.

I have, &c.,

THOMAS RUSSELL.

Mr. Russell to Mr. Fish.

[Extract.]

No. 172.] LEGATION OF THE UNITED STATES,
Caracas, August 2 (12?), 1876. (Received August 29.)

SIR: I have the honor to inclose a copy of the decree carrying into effect the new funding act, with a translation thereof. It was sent with a note from the minister of foreign relations, a copy of which is also inclosed, with a translation.

I inclose also a copy of my reply. I had, on receiving Dr. García's note, conversed with him informally, and had learned that the result stated in his note was reached by neglecting to compute any interest.

He defended this course upon the doctrine of "appropriation of payments," saying that a debtor having two classes of debts, had a right to apply payments to the class which he elected; and that Venezuela elected to apply all her payments to the principal; also, that in making a new arrangement she was not bound to pay interest on interest, but only on the reduced principal. I answered as gravely as I could this misapplication of the familiar rule of appropriation of payments; and also discussed the value of the "*peso fuerte.*" He did not deny that the commissioners intended to give their awards in gold or premium dollars, and he knew well that the certificates were so expressed; but he contended that the record was conclusive, and that the *pesos fuertes* therein mentioned were only equivalent to venezolanos. He claimed that the intention of the commissioners was only to be learned from their record, and that they had issued certificates not warranted by that record.

* * * * * * *

On August 3, after sending inclosure No. 5, I called for the monthly payment due for July. I should, perhaps, have delayed this demand and also my refusal, in the hope of receiving instructions; but as demand and payment had always taken place on the 3d, I knew that a neglect to ask on that day would be taken as a waiver of the right and as an acquiescence in the offer already made.

Payment was refused, and I was told by the minister of the treasury that orders had been received to suspend payment. I at once wrote to Dr. García as follows:

LEGATION OF THE UNITED STATES OF AMERICA,
August 3, 1876.

SIR: I have to state that on calling at the treasury for the sum allotted to this legation on account of claims for the month of July, I was informed that orders had been given to suspend such payment.

I desire to inquire of your excellency whether this is true, and to express the hope that if such order has been given, the suspension of payment may be discontinued.

I take this occasion, &c.

THOMAS RUSSELL.

His Excellency Hon. Dr. CANUTO GARCÍA,
Minister of Foreign Relations.

On the next day, while I was writing a report of these matters, the Department's No. 90 (June 27) and No. 98 (July 11) were received. I wrote at once as follows:

LEGATION OF THE UNITED STATES OF AMERICA,
August 4, 1876.

SIR: I have this day received instructions from my government in relation to certificates issued under the law of May 29, in reply to a dispatch sent by me on the first presentation of the bill to Congress, and to another sent upon its final passage, both asking instructions in advance.

Pursuant to these instructions I once more decline to receive the certificates, renewing my declination because I now act under the direction of my government. It will give me pleasure to state more fully, at your convenience, the views of my government.

I take this occasion, &c.

THOMAS RUSSELL.

His Excellency Hon. Dr. CANUTO GARCÍA,
Minister of Foreign Relations.

On August 9 the President invited me to a conference, in which he discussed the matter for two hours, and said that he was ready to make a more favorable proposition.

I reserve an account of the interview, as well as all comments upon the proposition, until it has been received in writing. I have endeavored, and shall continue to endeavor, to prevent any unjust preference

being given to any legation, and to secure, if possible, payment of the amount due to this legation for the last month and for the current month.

I regret that it is impossible to send a full report on this subject. The delays of this government have made it impossible to do so.

I have, &c.,

THOMAS RUSSELL.

[Inclosure 2 in No. 172.—Translation of No. 1.]

DECREE CARRYING INTO EFFECT THE FUNDING ACT.

Antonio Guzman Blanco, President of the United States of Venezuela, &c., &c.

In the use of the authority given me by the law of June 6, as to public credit, I decree:

ARTICLE 1. Liquidation having been made of that which the republic owes on account of foreign claims, as article 1 of the legislative decree of the 29th of May last orders, steps shall now be taken for the issue of the national debt of 13 per cent. [due] by diplomatic arrangements, the certificate of which shall be had at the disposition of the creditor legations in the ministry of public credit.

ART. 2. Said legations, or those interested, who prefer to collect each month the interest of the debt of 13 per cent. by diplomatic arrangements can go on the last day of each month, counting from the present, to the junta of public credit, which shall perforate the part corresponding to each coupon, and shall draw for the value of it against the treasury of public service. In this case, on paying the last month of the four months, the coupon shall be cut off, as said law directs, in place of perforating it the fourth time.

ART. 3. The commission of public credit shall each month order the treasury of public service to keep on deposit the interest not collected.

ART. 4. In the auctions ordered by article 7 of the legislative decree of the 29th of last May the commission of public credit shall go through with the same formalities established by the law of June 6, 1874, on public credit, § 1 and only. For the execution of what is ordered in the preceding article, the treasury of public service shall send to the commission of public credit, at the completion of each four months, a notice of the amount of the 13 per cent. collected up to that date.

ART. 5. The receipt which each legation gives for the share of the certificates that belongs to it cancels those which have been issued before in payment of the respective credits.

ART. 6. The ministers of public credit, of foreign relations, and of the treasury are charged with the execution of the present decree so far as concerns each.

Given, signed by my hand, and countersigned by the minister of public credit, in the federal palace, in Caracas, July 21, 1876, year of the law thirteen and of the federation eighteen.

GUZMAN BLANCO.

Countersigned,
J. M. PAÚL,
Minister of Public Credit.
Countersigned,
CANUTO GARCÍA,
Minister of Foreign Relations.
Countersigned,
P. TOLEDO BERMUDEZ,
Minister of the Treasury.

[Inclosure 4 in No. 172.—Translation of No. 3.]

Señor García to Mr. Russell.

CARACAS, *July* 31, 1876.

The undersigned, minister of foreign relations of the United States of Venezuela, has the honor of sending to Mr. Russell, minister of the United States of North America, by order of the illustrious American, President of the Republic, an authorized copy of the decree issued the 21st of this month in execution of the law of May 29, of which Mr. Russell has official knowledge.

The commission of public credit has carefully made liquidation of the North Amer-

ican claims, and it results therefrom that they amount to V. 1,050,376.66 (one million fifty thousand three hundred seventy-six venezolanos and sixty-six cents).

The undersigned has the honor to inform Mr. Russell that in the commission of public credit there are at his disposition the certificates of the debt corresponding to the said amount.

To the payment of all the bonds now issued is applied strictly the product of 13 per cent. of the forty units of the customs revenue devoted to the payment of foreign claims by the law of November 30, 1873, and which till last month the legations have been receiving in the form of *pro rata*. So that only the form of payment has been changed, one being now adopted more consonant with the administration of interior affairs, while it is at the same time more favorable to the interests of creditors.

The undersigned hopes that Mr. Russell will please receive at once the certificates indicated because the payment of interest will begin to-day.

It must be understood that in taking this step Venezuela does not recognize validity in the awards of the mixed commission created by the treaty of 1866. On the contrary, she renews the protests, which once and often she has made against them, and to-day with so much greater reason, when the investigation of the frauds on the part of the United States Congress and the measures consequent thereon inspire the assurance that they will be annuled very soon if they have not been already.

I renew to Mr. Russell the assurances of very distinguished consideration.

CANUTO GARCÍA.

[Inclosure 5 in No. 172.]

Mr. Russell to Señor García.

LEGATION OF THE UNITED STATES,
Caracas, August 3, 1876.

SIR: I have the honor to acknowledge the receipt of your excellency's note of July 31, inclosing the decree of July 21, and informing me that certificates to the amount of V.1,050,376.66 are ready for delivery to this legation.

I am obliged to say that I cannot receive these certificates which are offered in satisfaction of the awards made under the treaty of 1866.

Without entering upon a full discussion it is enough to say—

I. The amount recognized as due is less by half a million of venezolanos (in round numbers) than the amount actually due under the treaty. I am informed that this result is reached by discarding all interest on the awards. The provision of the treaty is as follows: "Semi-annual interest shall be paid on the several sums awarded at the rate of 5 per cent. per annum from the date of the termination of the labors of the commission." This was August 5, 1868.

The Government of Venezuela has no more authority to set aside this portion of the treaty than any other portion. The payment of interest is as distinctly provided for as the payment of the principal sum. I could as well accept a proposition to acknowledge as due half a million of interest, setting aside the million of principal, as to accept the million, setting aside the interest.

I do not understand that the Government of Venezuela claims a right to impose this arrangement upon the Government of the United States. The enlightened Government of Venezuela does not pretend that one nation, being party to a solemn treaty, may set it aside by her own legislative act, without the consent of the other. Your excellency's note, as I understand, only conveys a proposition, to be accepted or rejected at the pleasure of the other party to the treaty. But that other party is the Government of the United States of America; not their minister resident at Caracas.

By the Constitution of the United States, the power to make, abrogate, and alter treaties is given to the President with two-thirds of the Senate. For the minister to accept this proposition would be an attempt to usurp power, either the treaty-making power or the legislative power, which is given to the President and the two houses of Congress.

Such an attempt would have no effect. It would be an act void for want of authority. It would be trifling with this government while it would deserve the censure of the United States Government.

This is conclusive as to my action. But I must add, that a great error seems to have been made in estimating the original amount of the awards. It has been computed, as your excellency knows, as if they were given in venezolanos, or in pesos of the value of venezolanos. The words used in the "Libro de los Actos" are "pesos fuertes." There is doubt and division of opinion among experts as to the force of these words in 1868. But all doubt as to their meaning in this case is removed by the action of the commissioners, who, in their certificates, which were issued in English, use

the words "dollars in gold or its equivalent." Such dollars are and were worth V. 1.07½ or $1.34¼ (pesos) each.

Their meaning is still more clear, from examining the cases, where an exact compensation is given. Thus the honorable commissioner of Venezuela, speaking of Oliver Taylor's claim, says that he contended with success that his claim for $2,317.70 was for pesos sencillos, and that this *reduced to American money* gave as a result $1,742.63. (Informe, pp. 13 and 14.) This is the amount for which judgment was given and certificates issued; and there is no pretense that judgment in this case was given in a different denomination of money than in the others.

So, in the case of one of Mr. Drigg's many claims (Informe, p. 41), Mr. Villafañe allowed $2,420.55 pesos, which he reduces to $1,808, for which judgment was given, showing clearly that the judgment was given in gold dollars, or "pesos fuertes de premio." In the same case the United States commissioner holding the claim good for 3,245 pesos, computes the amount at $2,244.35, showing that he, too, reduced the amount to gold dollars (Libro de los Actos, p. 134); and on page 135 of the Libro the trustworthy commissioner for Venezuela distinctly says: "$2,430.55. Esta suma al cambio de $1.34¼ por ciento para reducirla á dollars, moneda de los Estados Unidos, da por resultado la de $1,808, despreciando fracciones." [$2,430.55. This sum, at the exchange of $1.34¼ per hundred to reduce it to dollars of United States money, gives as a result that of $1,808, setting aside fractions.]

This removes all question as to the intent of the commissioners, and they have expressed that intent in the issue of certificates, which are their final, deliberate, and formal judgments.

My understanding of this matter is the same with that of my predecessors, and I learn that the like opinion has been held in the financial department of this government.

II. The certificates offered for my acceptance bear interest at 3 per cent. As the treaty between the two nations fixes the rate at 5 per cent., it is not in the power of Venezuela, nor of Venezuela with the concurrence of the United States minister, to reduce the rate.

III. The treaty provides for payment (meaning, of course, in coin) in ten equal amounts in ten years, the first to be in six months after the termination of the labors of the commissioners, viz, on February 5, 1869. I have no authority to accept, as a compliance with this treaty, promises of payment so entirely different from that fixed by the treaty. Your excellency will see, therefore, that the offer made to this legation is something more than a "variation of the form of payment;" and your excellency will agree with me that I can take no action upon the proposition, except to send the note of your excellency to the Department at Washington.

It is needless for me to raise the question whether the Executive of the United States has power to accept this offer, nor to discuss the probable disposition of the Executive. I will add, however, that it would give me pleasure to receive and transmit an account of the amount claimed to have been paid by this government under the treaty.

I take pleasure in renewing to your excellency the assurances of my very high consideration.

THOMAS RUSSELL.

His Excellency Hon. Dr. CANUTO GARCÍA,
Minister of Foreign Relations.

Mr. Russell to Mr. Fish.

[Extract.]

No. 180.] LEGATION OF THE UNITED STATES,
Caracas, August 22, 1876. (Received September 15.)

SIR: I have the honor to transmit a copy of a note from the minister of foreign affairs, with a translation, proposing a new arrangement for payments on account of claims under the awards of the mixed commission.

1. Certificates to be issued for amount of claims, deducting all payments, and excluding all interest, said bonds bearing interest at 5 per cent. from June 30 last, to be paid from the 5⅕ per cent. set apart from the revenue for such debts.

2. The interest due June 30 to be liquidated; and, after payment of the 5 per cent. interest on the bonds, the *pro rata* part of the 5⅕ per cent. of the revenue due to this legation shall be applied to reduce this sum.

3. When this overdue interest has been paid, the surplus of the 5½ per cent. of revenue shall be used to extinguish the capital by auctions.

I understand that this is offered, not in lieu of the treaty of 1866, which, as this government well knows, cannot be set aside by the Executive of the United States of America, but as a mode of payment, to be continued during the pleasure of the United States Government.

In other words, and quoting a fitting phrase, instead of "conniving at the receipt of the present monthly pittance," government is asked to direct their minister to receive the bonds, and thus to secure a little larger payment till it shall please to make a new order and demand, the treaty remaining in full force, and the bonds to be returned when the new demand is made.

Similar propositions are or are to be made to the other legations. The Spanish legation alone accepted the offer made under the act of May 29, 1876, being bound by treaty to do so. One or more creditor governments will consult the United States of America before finally deciding. The new offer will be accepted by Spain.

As to the application of payments, the President argued in our interview that it was a matter of right. I advised him not to take that ground, and he at once assented, saying that he would ask it as a favor and as a necessity, on account of the poverty of Venezuela. I was, therefore, surprised to find the claim set up in the words of Dr. García's note which I have underscored. I wrote him as follows:

[Unofficial.]

CARACAS, *August* 22, 1876.

DEAR SIR: I have the honor to acknowledge the receipt of your excellency's note of the 21st, containing a proposition as to the diplomatic debt. I shall take pleasure in laying it before my government, with such recommendations as will make clear its advantages. Your excellency speaks of the law requiring that payments should be applied to the reduction of the principal, and not to the payment of interest.

I should regard it as a favor if your excellency will point out to me (1) the law making such provision; (2) the notice of that law given to my government or to this legation.

As this novel method of applying partial payments to interest-bearing debts is claimed in your excellency's note not as a favor but as a right, your excellency will see that these data are necessary for the information of my government.

I take pleasure, &c.

THOMAS RUSSELL.

His Excellency Hon. Dr. CANUTO GARCÍA, *&c., &c.*

Dr. García replied officially in a note, a copy of which is inclosed, with a translation and answer. The concluding portion of Dr. García's note settles a vexed question, on which I had expressed a decided opinion, viz, that pending this proposition, payments should continue as before, instead of being deposited and allowed to accumulate. * * * This course, also, relieves the government from the unjust suspicion * * * that the whole project was a device to gain time, and to postpone or finally refuse all payment.

* * * * * * *

The amount allowed to each legation as due on June 30, 1876, is as follows:

Spain	V. 1,421,835 53	
United States of America	1,050,376 00	
Netherlands	417,000 00	
Great Britain	190,732 00	
France	400,000 00	+ or —
Denmark	14,000 00	
	3,493,943 53	

France is not exact, being subject to some changes.

Calculating the amount of customs revenue at V.4,500,000, the annual receipts would be V.234,000, paying the interest on all the bonds, and leaving about V.60,000 for reduction of accumulated interest and principal. The United States creditors would then receive, each year, V.52,518.80, instead of V.2,796 × 12 = V.33,552, the sum now received. It will be seen, therefore, that notwithstanding the proposed method of dealing with past payments and accumulated interest, the United States creditors would gain by the offered arrangement.

In one contingency they would gain largely. If the United States Government should ever set aside any portion of the awards, from considerations of equity, it would seem that considerations of equity toward the remaining claimants, whose just awards are not set aside, would give them the advantage of the comparatively large amount of interest which would then be received. Even then these long-postponed claims would not receive compensation for the delay which they have suffered. I of course speak in ignorance of what may happen, and only indicate a policy on a matter which I cannot properly discuss.

Some minor points deserve comment. The poverty of Venezuela is pleaded as ground for forbearance. In fact, the treasury is now empty; the government account at the bank is overdrawn; new credit is refused; and most of the public works are stopped. When the revenue was abundant it was spent profusely, and the natural result is temporary distress. This is the worst month for revenue receipts, and importations during all the summer have been very light. It is possible that fear of trouble consequent on elections may continue to reduce imports and duties.

Upon the question as to the denomination of money to which claimants are entitled under the awards, it was discussed in my No. 172, August 2, 1876. I will add that it is now claimed that the "peso fuerte" was fixed, by a law in force at the time of the awards, as a standard of value, at 10 reals, or 100 centavos. The law was passed to create a mint, and among other coins it did provide for such a "peso fuerte," but the coinage was not carried into effect.

Apart from this, if the question were between two individuals in a court of law, the Venezuelan theory would prevail: (1) because the preponderance of testimony is that a "peso fuerte" meant 100 centavos; (2) because the law, rejecting all evidence of intent, would hold the record conclusive. In this case this government is disposed to take advantage of every technicality.

In conversation with the President I suggested that he should include in his proposition the United States claims not embraced in the awards of the commission; and I especially referred to the case of the brig Horatio. He said he had no objection to including these claims, or to paying them at once. I believe that the Horatio claim would have been paid this week but for the condition of the treasury. If the President's proposition should be regarded with favor, I would suggest that the other adjusted claims should be included, and that this should be a condition of acceptance.

A more important condition that I would suggest might be that a larger portion of the customs revenue than $5\frac{1}{5}$ per cent. should be devoted to the payment of diplomatic debts. This can well be afforded, and it would give a great increase of value to the bonds. By persistently calling the amount 13 per cent. this government seems almost to have forgotten that it is only 13 per cent. of 40 per cent. that is devoted to payments on all its diplomatic debts.

I have not thought it necessary to make this long dispatch longer by

stating fully various conversations with the President and other officials. I will only say that when the Spanish legation alone accepted the bonds under the act of May 29, the legal effect was to give to that legation alone interest on its debt, and an opportunity to receive the whole $5\frac{1}{5}$ per cent. of revenue by way of "remátes," auction sales of certificates. I protested vigorously against this, and as the result of this and other protests the amount was first deposited in the hands of three leading firms, and it is now divided and paid as heretofore.

I believe that the President intends to have payment made regularly on the bonds, if they are accepted; and also that one object of the new plan is to correct the gross inequality which has existed in the distribution, and which has worked especial injustice to the United States. At the same time he takes every possible advantage for himself and friends who are supposed to be holders of Spanish certificates, and he does not neglect any chance to secure good terms for his government. I should have mentioned the fact that Spanish claims have heretofore borne no interest, so that the question as to application of payments did not arise in regard to them.

If the propositions should be accepted, United States creditors will be better off than before, and the gross partiality in favor of France will cease. The question whether a new policy of actual enforcement of the treaty is desirable or possible, I ought not to discuss.

General Pile will probably present this and other questions on behalf of Venezuela. He has so acted here with some legations, and has acted frankly.

* * * * * * *

I have, &c.,

THOMAS RUSSELL.

[Inclosure 1 in No. 180.—Translation.]

Señor García to Mr. Russell.

CARACAS, *August* 21, 1876.

Mr. MINISTER: I have had the honor of receiving and laying before the President your excellency's note of the 3d of this month, replying to mine of the 31st of last month, in which I had the honor to say to your excellency that the bonds issued under the law of May 29 of this year, to pay the claims of various North American citizens against Venezuela, were at your service in the bureau of public credit.

In the note to which I refer, your excellency says that "I cannot receive the certificates which are offered in satisfaction of the awards made under the treaty of 1866." Your excellency adds that, without entering on a full discussion of the matter, you must observe that there exists a half million of dollars difference, in round numbers, between the liquidation made by the bureau of public credit and that which appears from the accounts of your legation, attributing this difference, according to the information your excellency has had, to the fact that the bureau of public credit has not considered interest in making the liquidation.

Your excellency goes on discussing the point of interest, and believing that the omission of it and the fact of reducing it to 3 per cent., instead of 5, as stipulated, is a real alteration of said treaty of 1866, and after saying that you do not believe that the enlightened Government of Venezuela claims that one nation, which is a party to a solemn treaty, can annul it by a legislative act of its own, without the consent of the other, your excellency feels authorized to understand that my note of July 31 only has for its object to send a proposal that may be accepted or refused at the will of the other party to the treaty. Therefore, your excellency takes occasion to inform me that "in the United States of America, the power to make, modify, and abrogate treaties belongs to the President with two-thirds of the Senate," so that if your excellency should accept to-day such proposal, you would usurp that power, without your act having any effect, since it would be considered null and of no effect.

Finally, your excellency takes pains to show that there was an error in liquidating the account from taking as a standard the Venezuelan hard dollar, when, in your excellency's view, as in that of your predecessors, it was the gold American dollar, which the mixed commission used in their judgments, and in the certificates which they

issued to the different creditors. Your excellency sustains this view by the words of the Venezuelan commissioner, on pages 3, 14, and 41 of the report which he made to the government, and also on pages 134 and 135 of the book of the acts of the commission, in which your excellency finds incontestable proof that the simple (*sencillos*) dollars were reduced to United States hard dollars and not to Venezuelan dollars, as appears in the judgments.

In obeying the orders which I have received from the President to answer your excellency, I must begin by assuring you that neither the Congress in dictating the law of May 29, nor the President in decreeing its execution on July 21, have disregarded, nor could disregard, the principle that in treaties made between two nations neither has the right to alter or annul them of its own will without the consent of the other. Your excellency does us this justice in the words that I have copied in the third paragraph of this note.

I proceed to give your excellency the explanation and meaning of these acts of the Congress and President of the republic.

In 1872, the country being still at war, the President nevertheless desired to regulate the distribution of the public revenues, and in fact set apart a portion of them for each of the branches deserving special care, among which naturally figured the obligations of the treasury under diplomatic engagements. He gave an account to the Congress of 1873 of this distribution, which he had made in use of the full powers with which he was invested, and it was approved unanimously. By a special resolve of the same legislative body authority was given to the President to distribute the 13 per cent. set apart for foreign claims, in the proportion which belonged to each, taking as a basis the amount of the principal sums claimed, although many of them were not yet liquidated, with the provision that the amounts delivered must be applied to the payment of the capital and not to the payment of interest. So the President decreed, and thereafter the legations received each month punctually, and in cash, what belonged to each.

That resolve of Congress was provisional while liquidation was made of the claims yet pending, so that Congress reserved to itself the right to change that form of payment in which no power was exerted that was not its own.

At last the laborious process of these liquidations was ended; and the President having made this known to Congress, the latter believed it fit and convenient to change that provisional form for another, which should be permanent and in harmony with his revenue system, and with that which is practiced with the various debts that burden the treasury. In consequence of this plan, it dictated the law of May 29, which, your excellency knows, is the one that he has put in force by means of a decree of July 21, and which now gives us cause for the present discussion.

From the above the consequence results logically that Congress, in dictating the law of May 29, used the same powers with which it approved the distribution of the public revenue in 1872, and those by which it authorized the 13 per cent. to be apportioned according to the resolve to which I have referred before, and if by this provisional distribution the diplomatic agreements were not altered, which to-day are in their full force, it is plain that the new law in decreeing the permanent form of payment did not change those agreements, nor cut off the rights of the nations with which it has made agreements.

But if the public powers of Venezuela did not exceed their constitutional powers, it is, however, clear that they do not have authority to oblige their creditors to agree to the new form of payment. In this situation, and not being able to continue the distribution of the 13 per cent. on the terms upon which it was made before, because of the repeal of the law of 1873, there remains no other way than that of opening conferences to find a form acceptable to both parties, because it conciliates the interests of all, for which the President of the republic holds the power, charged as he is, by the constitution, to direct diplomatic relations.

With this object, and as a proof of the constant wish of my government to strengthen on every occasion the good relations of friendship that happily exist between the two nations, a desire of which your excellency was able to convince yourself in your conference of the 9th with the President, and it being on the other hand very desirable to make this arrangement, from the fact that the present constitutional term is about to end, as the President would be deeply grieved to leave pending questions that he has begun, and which he believes that it is his duty to leave definitely settled, he has authorized me to submit to the consideration of your excellency the following propositions, which may serve as a basis for the desired arrangement:

1. The government will issue to your legation certificates of diplomatic debt, at 5 per cent. interest on what was due on the 30th of June last, after deducting the sums which have been delivered to the legation on account.

2. The 5 per cent. interest will be paid monthly, with the corresponding portion of the 13 per cent. set apart for the diplomatic debt.

3. The interest due and unpaid up to July* 30 last past, shall also be liquidated, and

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* "July" is evidently an error for "June."

what turns out to be due shall be paid with the *pro rata* belonging to this legation from the remainder of the 13 per cent. after the 5 per cent. interest is paid, to which the former articles refer.

4. When the interest due up to June 30 is extinguished, the rest of the 13 per cent. shall continue to be applied by auctions to the extinguishment of the capital sums.

It must be understood that these propositions leave in force the protest which my government has made, of which mention is made in my note of July 31.

When accepted by your excellency's government, these bases can be completed, after being agreed upon, by exchange of diplomatic notes. Now, I shall be allowed to urge on the Government of the United States, through your valuable intervention, the acceptance of this arrangement, which is one that Venezuela can perform honorably. The Government of the United States knows the perfect good faith and right action of mine in the performance of its duties, and it would not be friendly nor equitable to demand from it sacrifices greater than its strength. The revenue of Venezuela is very small in comparison with its obligations, and with the urgent necessity of nourishing its material and intellectual growth; and it would be condemned to live a life desperate and in arrears, if, in the difficult situation of its treasury, duties were imposed which should take from us even the hope of repairing our damages, and of entering freely on the way of progress.

The United States have at least the moral duty of being the protectors of the growing Spanish-American republics, and because Venezuela holds this conviction, she sought her protection on finding herself threatened by Holland; she had the satisfaction of obtaining at once the good offices which she then needed, and which she still needs, and it is not to be feared, so the undersigned believes, that these proofs of friendship will fail us now in the arrangement of the present difficulty.

This note being already too long, I have thought fit to leave for another what I have to say to your excellency as to the value which should be given to the hard dollar, which is the denomination used by the mixed commission for the awards, which it dictated in exercise of its powers.

I take advantage of this occasion to renew to your excellency the assurances of my high consideration.

CANUTO GARCÍA.

[Inclosure 2 in No. 180.—Translation.]

Señor García to Mr. Russell.

CARACAS, *August* 22, 1876.

The undersigned, minister of foreign relations of the United States of Venezuela, left unsaid in his note of yesterday to Mr. Russell, minister resident of the United States, on the matter of money claims, that which he now proceeds to state, and he hopes that this may be made part of said answer.

The law of May 29, 1876, the work of Congress, cannot be repealed except by Congress. Therefore the distribution is no longer in force, which up to June was made of the product of the 13 per cent. set apart for the diplomatic debt. But in view of the difficulties that have arisen, the illustrious American, President of the Republic, as charged with directing the diplomatic negotiations, and with the reservation of giving account to the national legislature, in his ardent desire to show how much he values good understanding with the friendly nations, has ordered that payments be continued in the usual form while the United States Government takes into consideration the propositions made, and answers in regard to them.

Therefore Mr. Russell can send to the treasury his receipt for the quota for July, and so on till the time fixed.

The undersigned renews, &c.

CANUTO GARCIA.

His Excellency Mr. T. RUSSELL.

[Inclosure 3 in No. 180.]

Mr. Russell to Señor García.

UNITED STATES LEGATION, *August* 22, 1876.

SIR: I have received with pleasure your excellency's note of this date, replying to mine and modifying your excellency's of August 21.

I found in your excellency's note the statement that Congress had by an "acuerdo" directed that payments on diplomatic debts should be applied to the reduction of the capital and not to the payment of interest.

In my hasty, unofficial note, I used the word "law" as equivalent to "acuerdo," and,

as your excellency knows, an "acuerdo" has the force of law. Finding the statement that there was such an "acuerdo," I naturally supposed that your excellency claimed a right to apply the payments by force of that "acuerdo."

I am glad to learn that I was in error; for whatever was the language of that "acuerdo special," it could not affect the rights of my government without notice of it; and no such notice was received.

It gives me pleasure, therefore, to find that your excellency has not assumed the untenable legal position which I feared your excellency had taken from inadvertence.

I learn with especial pleasure that the monthly payments are to be resumed, and do not doubt that this will have a favorable effect upon international relations.

It will be an agreeable duty to make a copy of your excellency's note a part of the report which I transmit to my government.

And I take pleasure, &c.

THOMAS RUSSELL.

His Excellency Hon. Dr. CANUTO GARCÍA,
Minister of Foreign Relations.

Mr. Hunter to Mr. Russell.

No. 115.] DEPARTMENT OF STATE,
Washington, September 23, 1876.

SIR: Your dispatch, No. 180, of the 22d ultimo, relative to the new proposition of the Venezuelan Government for the discharge of their diplomatic debt, so called, has been received. As already intimated, it would not be regarded as prudent to accept the proposition without the assent of the majority, at least in numbers or amount, of the holders of the certificates issued by the joint commission under the convention of 25th April, 1866. The difficulty of consulting these is made perhaps insuperable by the fact that the certificates are payable to bearer, consequently, like other negotiable paper, they are constantly changing hands. It is probable, however, that the subject will be taken up at the earliest moment when it can be authoritatively considered.

I am, &c.,

W. HUNTER,
Acting Secretary.

Mr. Russell to Mr. Fish.

[Extract.]

No. 194.] LEGATION OF THE UNITED STATES,
Caracas, October 19, 1876. (Received December 20.)

SIR: I have the honor to inclose the copy of a note from the minister of foreign relations, with a translation, stating that this government does not assent to the validity of any of the awards of the mixed commission, but claims that all are fraudulent and ought to be annulled, adding that the present administration has always taken this ground.

This statement seems to be strictly correct. The government has claimed that its own commissioner was corrupt (see my No. 75), and has objected to some of the awards of the two commissioners, especially to those in favor of Mr. Driggs, as strenuously as to any made by the umpire.

* * * * * * *

It will be seen that this government claims a right to set aside the

results of arbitration, not only in cases of fraud, but of simple error, if it is manifest.

The passage is underscored (by me) in red ink on page two of inclosure 2.

I have, &c.,

THOMAS RUSSELL.

[Inclosure 1 in No. 194.—Translation.]

Señor Calcaño to Mr. Russell.

CARACAS, *October* 16, 1876.

Mr. MINISTER: I have the order of the President of the Republic to make to your excellency the following communication:

By the publication of documents emanating from the House of Representatives of the United States, or rather its Committee on Foreign Affairs, the government has learned with satisfaction the course which its complaint has taken, against the awards of the mixed commission which met in Caracas, in 1868, to decide on claims of American citizens. The investigation made and printed has corroborated in an irresistible way the proofs brought forward by Venezuela in support of its charges against the acts of that body. But at the same time it has wondered at the error committed by the investigating committee in supposing that the republic only objects to the judgments in which the umpire held to the vote of the commissioners, and that it has assented to those resulting from the agreement of the two members of the pretended tribunal. Whatever the reason may have been that led the preceding government to take this course, the present government never, not for an instant, shared that view. On the contrary, in the messages and acts of the President, in the reports of this ministry, in official correspondence, in all and each of these manifestations of its resolution, the Executive declared explicitly, definitely, and in a way most absolute, its unfavorable view of the doings of the commission, without reserve of any kind.

Remember the letter of the illustrious American to the most excellent President of the United States, May 15, 1872, which circulated through the world. Remember the message which was published also May 28, 1873, in which the first magistrate says, after speaking of the former letter, "and the efforts were continued to justify and *make evident the right which is ours to a revision of the decisions* of the mixed commission and of its umpire, which the great principles and universal rules of the moral world require, whenever, *in contracts, in decisions and judgments, fraud appears manifest, and even simple but evident mistake.*"

The treaty, by which the mixed commission was agreed and created, and the bases, which it converted into fraudulent means and results, were approved by the National Congress, as was shown before a tribunal was created which was competent, and in the exercise of full jurisdiction given to it by the agreement, to try and decide; and in article 3 it says: "The awards of this commission, and in that event those of the umpire, shall decide definitely and irrevocably all claims pending on the day of its installation."

According to this article, nothing could be alleged against the decisions, just or unjust, of the constituted tribunal, which its right authorized to change black into white, and *vice versa*. But it is not so, by any right, when fraud has intervened; in which case there has not been a judge, there has not been a judgment. Therefore, the present article 3 of the treaty, already cited, cannot be considered as applicable, nor can it be held that the approval then given by Congress can be understood to-day as approving the fraud, nor as serving as authorization to the Executive to consent to the decision given to the matter by the national powers at Washington.

Even from the 6th of June, 1870, that is, before the completion of two months from the installation of the government, inaugurated April 27, this ministry said directly to the most excellent Mr. Fish, Secretary of State of the United States: "It is sad that in this note must be mentioned a matter vexatiously pending through the result of the labors of the mixed commission, which was charged with the arrangement of the claims of citizens of the United States of the North against Venezuela; but the honorable minister of state well knows the urgency with which at this date this negotiation already presses."

The range of the claims of the republic was explained more minutely in a letter of November 13, 1871, in these words:

"The Government of Venezuela believes that the facts and explanation above justify the request for an examination and favorable consideration by your excellency and your government as to the following points: * * * Secondly. For the reasons and proofs, which I shall make known in detail to your excellency in my next answer, this

government asks from that of the United States a revision of the awards of the mixed commission, not only in defense of the legitimate interest of the republic, but in just satisfaction of the opinion of the whole country, which would condemn the omission of this duty, weakening the present situation itself, which is called to consolidate peace, and even to be able to give to the peoples a new proof of justice, right, and good will on the part of the United States. Thirdly. The revision having been made, the mode of payment will be fixed for the sum which turns out to be lawful, with due security, and this question, as long-continued as vexatious and painful in the reciprocal relations of the two countries, will be removed. My government hopes to obtain from that of your excellency this revision, whether the same take plaee in Caracas, since it has been thought worthy to choose your excellency as minister resident, or whether by means of new commissioners, and submits this matter confidently to its enlightened consideration."

The note from which the above passage is taken was a reply to that sent by Mr. William A. Pile, November 13, 1871, with the object of demanding peremptorily payment of the arrears of debt resulting from those decisions.

In the ministerial correspondence with your legation never has been written one word that contradicts this proposition of a general revision. On the contrary, it has been uniformly held; and your excellency will permit me to appeal to the various notes which have passed in treating of the portion assigned to the United States in the division of the thirteen units applied to the diplomatic debt. By such writings, it is clear to your excellency that the government denied the delivery, without placing the condition of suspending payment, to those favored by the decisions of the commission; and that if at last it acceded to such delivery, it was always saving the rights of the republic and protesting against the use of the funds in the payment of the certificates of the fraudulent commission, and renewing all that had been argued against the supposed tribunal.

Moreover, in the report of this ministry of 1873, its conduct was spoken of, and it was shown that some of the judgments of the commission were as unjust as were all that the umpire made. To this end, analysis was made of the awards given to Messrs. Amos B. Corwin, executors of John Donnell, and Hollins, and McBlair; to Seth Driggs in four claims, for which he got $100,000, $12,000, $16,000, and $22,000; to Narcissa Hammer, Amelia de Brissot, Joseph Stackpole, and Ralph Rawdon. Also, it was there said that the government trusted that the United States Government would speedily agree on the revision of the acts of the mixed commission.

In the report of this ministry of 1874, reference was again made to the point, and it was said that "in order to execute the decree of Congress as to the North American claims recognized by the commissioners and the umpire who formed the tribunal created by the treaty of April 25, 1866, an envoy extraordinary and minister plenipotentiary in Washington has been appointed, who will present to that government the proper demand, with the foundations and documents necessary to establish the perfect right of Venezuela that the awards of said tribunal be declared null." Here is incorporated the decree of Congress, to which the government necessarily has to adjust its conduct. The report went on adducing arguments applicable to the greater part of the awards of the commission, including those which were not the work of the umpire, and it is added that the government has reclaimed, and will continue to reclaim, by the proceedings known to the law of nations and international customs, against the awards of the mixed commission, for the fraud of the commissioners and the umpire who composed that tribunal, not doubting that the government at Washington, doing to the republic the justice to which it has the perfect right, will agree on the nullity and consequent revision of them; and that in this view the sums ought not to be distributed, which are delivered, until the final liquidation and recognition of the claims to which these payments on account have to be applied.

In the report of this ministry for 1875, the point was discussed with the same view, and argument was made against all the awards. Besides, it was said that Mr. Dalla Costa was intrusted with "the mission of demanding the annulment and asking the revision of the unjust awards of the mixed commission, which are already as familiar in this as in that country."

Finally, in the report of this ministry of the present year, 1876, that was repeated which had often been said against the decisions here treated of, and in speaking of the resolution to deliver to the American legation the funds deposited in the company of credit, and the successive monthly quotas, it is said, "This was not done without adding that the government, far from renouncing it, reserves the right to urge the invalidation of the awards of the tribunal tainted with fraud, nor without repeating the formal protest against distributing the funds. In the same note in which this was communicated, Mr. Russell was requested, in return for the right action and sincerity of the administration, to use his deserved influence in effecting that at Washington examination should be made of the proofs, which serve as the support of the demand for the annulment of the mixed commission and revision of its awards."

On the other hand, if the decisions are examined which were the work of the two

commissioners, they will be found the most affected with vices as enormous as those approved by the umpire. Very grave matters treated with the greatest levity; laws of the republic disregarded; principles of the law of nations trodden under foot; former important discussions set aside; precedents established by the Anglo-American Union disowned or voluntarily forgotten; the recognition of a claim already paid; indemnities fixed arbitrarily—such are the characters that distinguish such decrees. But the gravity of the charge greatly increases when it is considered that Mr. Talmadge shared in the fruit of them, either directly or through an associate; Mr. William P. Murray, secretary of the legation, presented as such to the government, and who was even charged with it during an absence of Mr. Pruyn at St. Thomas. It would be even a serious contradiction that would admit the corruption of Mr. Talmadge, and at the same time recognize as valid any of his acts from which he drew profit for himself and for the other members of the league formed against the treasury of Venezuela.

The President hopes that through your excellency this communication may reach the Government of the United States, so much the more because, as is seen from the quotations here made, your legation has been informed of the extent of the real demand of Venezuela, not only in the time of Mr. Pile, but also in that of your excellency, and so the reason is not understood why the accusation [against the awards] should be supposed to be restricted to the decisions of the umpire alone.

I renew to your excellency the assurances, &c.

EDUARDO CALCAÑO.

Mr. Russell to Mr. Fish.

No. 201.] LEGATION OF THE UNITED STATES,
Caracas, December 18, 1876. (Received January 10, 1877.)

SIR: I have the honor to inclose a copy of note from the minister of foreign relations, with a translation, asking a decisive answer to the proposition as to certificates of indebtedness to be issued for the awards of the mixed commission.

The occasion for this urgency is the fact that the President ceases to hold office on February 20, 1877, and desires to have this matter arranged during his term.

The proposition was transmitted in my No. 180, dated August 22, 1876.

I have, &c.,

THOMAS RUSSELL.

[Inclosure.—Translation.]

Señor Calcaño to Mr. Russell.

CARACAS, *December* 7, 1876.

At the close of last August there was sent to the minister resident of the United States a series of propositions as to the issue of 5 per cent. certificates for the capital and interest of the claims adjusted by diplomatic treaties, that he might please transmit them to his government. As up to this time the answer which it expects has not reached this office, the minister of foreign relations, who subscribes this, takes the liberty of calling Mr. Russell's attention to the point, because government is obliged to arrange this question as soon as possible, especially as the time draws near for the inauguration of a new government, to which the illustrious American wishes to deliver, under the best auspices of harmony and good arrangement, the relations with foreign countries and governments.

The undersigned renews, &c.,

EDUARDO CALCAÑO.

Mr. Fish to Mr. Russell.

No. 126.] DEPARTMENT OF STATE,
Washington, January 12, 1877.

SIR: Your dispatch No. 201, of the 18th ultimo, has been received. It requests an answer to the propositions of the Venezuelan Government in regard to the diplomatic debt.

In reply, I have to state that the propositions themselves are possibly not fully understood, but that if, as is supposed, they contemplate the substitution of any other evidence of indebtedness for the certificates issued in accordance with the treaty, or if they propose anything which by implication or otherwise contemplates a revision of the awards made by the commission under the treaty, it is not within the constitutional power of the President to accede. These certificates are the private property of numerous parties, and the President would not feel it right to them, or within the limits of his power, to abridge, compromise, or annul these rights without their consent. They are numerous, and as the certificates are transferable by delivery, they are not known, and the obtaining of their consent to any change seems utterly impracticable.

Furthermore, the President cannot assent to the proposition, inasmuch as it is understood to import the condition that its acceptance contemplates an opening of the awards and a revision of the claims. The act of Congress of the 25th of February, 1873, declares that the decisions in regard to those claims must be looked upon as final and conclusive, and must be held as valid and subsisting against Venezuela.

The act referred to is in full force; and while so it is not competent for the President to do, or to allow to be done, anything at variance therewith.

You will consequently inform the minister for foreign affairs that however well disposed the President might be to accede to the wishes of the Venezuelan Government, a proper regard for his duties and obligations forbids him even from entertaining the propositions which have been made through you.

I am, &c.,

HAMILTON FISH.

Mr. Russell to Mr. Fish.

[Extract.]

No. 219.] LEGATION OF THE UNITED STATES AT CARACAS,
St. Thomas, Feb. 22, 1877. (Received March 13.)

SIR: I have the honor to inclose a bill of exchange of H. L. Boulton & Co., on Dallett, Boulton & Co., for $2,608.97 (twenty-six hundred eight dollars $\frac{97}{100}$ gold), payable in ninety days after sight to my order, and indorsed to the Hon. Secretary of State or order. This represents the January payment under the awards of the mixed commission, less $1.40 for stamps, and less $3 expenses incurred in sending a former bill. This was receipted for by Mr. Stümp, who will continue to receive monthly payments at present, and to remit them.

I had expected to receive a larger amount; and this seems a fitting time to report the facts. A long time since, as reported by me, I called the attention of the minister of foreign relations to the great discrepancy between the monthly payments to some other legations and the pay-

ments made to the United States of America, as compared with the respective amounts due. He replied, (1) that Spain suffered equally with the United States of America; (2) that the allotment was only provisional. * * *

Although I was aware of these facts, and although I had no instructions, I did not feel that I ought to refuse, when requested to ask for an act of simple justice. I therefore informally recalled to the minister my former note, and told him that while I had no directions on the matter, the action desired would be no less agreeable, if done without a demand. I afterward renewed my informal request. The Spanish minister on each occasion made a formal demand; protested against the small amount paid, and refused to receive it. We each received a promise that the proper amount should be paid, but the promise has not as yet been kept. Mr. Roberts, however, has reconsidered his determination not to receive the small amount offered, fearing lest, in the present disturbed state of affairs, delay might cause the loss of all.

The reason that the new arrangement has not been made is probably that certain claims of German subjects are to be included in it, thus affecting the amounts to be paid to each legation. These claims are small, and the President has been anxious to have them recognized, because he expects the assent of Germany to his scheme for paying all diplomatic debts by bonds, and hopes much from the influence of such a power.

I have, &c.,

THOMAS RUSSELL.

Mr. Russell to Mr. Evarts.

[Extract.]

No. 221.] LEGATION OF THE UNITED STATES AT CARACAS,
St. Thomas, March 14, 1877. (Received March 31.)

SIR: I have the honor to inclose a copy of the Opinion Nacional, containing the farewell message of President Guzman Blanco, and to report on some passages of interest to the United States Government.

* * * * * * *

The message states that the protest against the awards of the mixed commission is likely to prevail. "The sums delivered by Venezuela were so delivered under a protest that they should not be distributed until after the result of the question whether or no we had a right to revision. Thus, as the Government of the United States has made division of the sums delivered during the year, it is strictly a duty to suspend anew the payments, and to deposit them in the Bank of Caracas or in some establishment of the kind of New York or Philadelphia. This, at least, would bring the question to a crisis, from which certainly would result its definite solution."

* * * * * * *

The statement as to payment being under protest is partial, and calculated to deceive; and in its imputation of bad faith on the part of the United States it is wholly unjust.

Venezuela had refused to make payments except on condition that the United States would promise not to divide among claimants until a final settlement of the question. The United States refused to make

any such promise, and payments were made on account to the company of credit. Then the United States made a peremptory demand for unconditional payment. Venezuela at first refused, but then consented. It is true that the note promising payment contained a protest against a division by the United States among the claimants. But I replied to this that I should receive the payment as the unconditional payment which I had been instructed to demand, and that the United States would be free to do as it seemed fit with the money received. After this note the money was paid.

I have, &c.,

THOMAS RUSSELL.

Mr. Dalla Costa to Mr. Evarts.

LEGACION DE VENEZUELA,
Washington, November 3, 1877. (Received November 6.)

SIR: At an early date after the adjournment of the mixed commission between the Governments of Venezuela and the United States, under the convention of April 25, 1866, the former government protested against the awards of said commission, alleging that many of them were wholly fictitious, others were for greatly exaggerated sums, and charging the commissioners and umpire with fraudulent motives and irregular proceedings on their part, that in equity should vitiate their total findings, and appealing to the justice and magnanimity of the Government of the United States to grant a rehearing. To that appeal the Government of the United States answered that the findings of such a tribunal could not be set aside except upon the clearest and most positive evidence of fraud on the part of the commissioners themselves or of the umpire.

In the early discussion of this matter, Mr. Seward, in a dispatch to Mr. Muñoz y Castro, dated March 3, 1869, said:

> It is not necessary for this government to deny that no man can be a judge in his own cause, or in one in which he has the minutest interest. We might admit that, if it were capable of proof that Mr. Talmadge was thus interested in any claim at the time he assumed to sit in judgment upon it, the fact would show such personal disqualification that in respect to such claim his action might be regarded as would be that of a stranger who, without color of authority, usurped the functions of commissioner. In such a case, we might agree that the government concerned would be at liberty to treat the awards made by his aid as absolute nullities, and to submit the cases to the consideration of a new commission.

Ordinarily, it is almost impossible, in cases of this nature, to produce direct and positive proof of fraud and corruption on the part of public officers. They are generally sufficiently acute and cautious in their proceedings to render it exceedingly difficult, if not impossible, to produce direct and undeniable testimony on the subject.

Venezuela has claimed that the nature of these awards, the character of the claims upon which they were founded, the fact that one man, and he the brother-in-law of the United States minister at Caracas, and the reputed secretary of the legation, was the attorney for nearly three-fourths of these claims in amount, and received nearly $400,000 of the certificates issued on their account, together with the known relations existing between that gentleman and the commissioners, made a substantial case, such as indicated by Mr. Seward in the above-cited note.

I now desire, on behalf of the Government of Venezuela, to submit to your consideration direct and positive proof of what Venezuela has all

along alleged to be the facts of the case, but of which positive proof has only recently come into its possession. I disclaim any wish to attack individual character, and shall say nothing reflecting upon the parties concerned in this unfortunate business not absolutely necessary to a clear understanding of the case.

You will perceive by the correspondence on file in the State Department, and from the testimony printed in House Report No. 787, Forty-fourth Congress, first session, that one William P. Murray was the ostensible attorney before the commission in nineteen claims on account of which awards were made, and among them was that of Beale, Nobles, and Garrison, for which an award was made of $250,000. On Mr. Murray's return to this country, as such attorney he addressed to Colonel Nobles a letter or report in that case, of which I herewith inclose a copy, and make the following extract. After reporting his arrival at Caracas, and some preliminary statements, he says:

I at once went to work to manufacture public opinion so as to secure an award Conde was the Venezuelan commissioner. I tried the usual appliances of talking up the merits of the case, but it was no go. I then offered him, first, $25,000, then $50,000, for a $200,000 award, but failed. I then felt satisfied that unless Conde could be got rid of I might as well return home. Stilwell and myself at once went to work at Falcon [then President of the republic] to secure Conde's removal, but as Falcon had abrogated the contracts and the filing of the claim had then become notorious in Caracas, Falcon not only refused to remove him, but as a matter of fact approved of his course. The flight of Falcon a few weeks after, and the assumption by Bruzual of the Presidential chair, led to another effort on our part to secure the removal of Conde. After several interviews, it was agreed that Conde should be removed, provided Bruzual was recognized as President and the influence of the legation should be used to secure one thousand stand of rifles and four pieces of artillery, which contract was carried out by all parties. The appointment of Villafañe as commissioner led us to hope our trouble was at an end, as I had made him a proposition before his appointment, but I was disappointed, as the success of the revolution suspended everything, and Villafañe refused to act any longer as commissioner unless reappointed by Monagas. Monagas, on the other hand, would do nothing unless the legation would recognize his government, which they were compelled to do or let the commission go up. The reappointment of Villafañe closed the negotiations with the government. My labor was then with the commissioners. Upon the arrival of Talmadge, to get him enlisted I agreed to give him one-eighth of the award. Subsequently, I agreed to give another party one-eighth, to secure the removal of Bruzual, (Conde). Upon the appointment of Villafañe, I promised him $25,000 if he would give us an award of $200,000, and I finally agreed to give the umpire $25,000 for a $250,000 award. These sums, amounting to $112,000, I paid the several parties, as I agreed, before leaving Caracas, which left a balance of $137,500. The original contract, as you will remember, was one-eighth and one-eighth. This was afterwards increased to one-half, in the event of a $200,000 award. I herewith pay over $100,000, which you can distribute among the parties in interest. The $37,500 I retain as my fee.

The above distribution was made by Colonel Nobles in accordance with this report, he receiving $40,000, Mr. J. C. Beales $30,000, and Mr. Garrison $30,000, leaving $150,000 to be distributed by Mr. Murray to the other parties he had suborned.

In corroboration of the particulars contained in Mr. Murray's statement to Colonel Nobles, I refer you to the above-cited report of testimony taken before the Committee on Foreign Affairs, pp. 86, 87 and 88, in which you will perceive that Mr. Talmadge in his sworn testimony before that committee admits that he had in his possession from $5,000 to $25,000 of the certificates issued on account of the claim of Beales, Nobles, and Garrison, and was unable or unwilling to tell the committee either when or from whom he received them, or when or to whom he sold them; in fact, was unable to give any satisfactory account either of the manner of their receipt or disposition.

You will observe also that Mr. Murray refers in the concluding paragraph of this report to an understanding between him and his principals

previous to his departure for Caracas, that the division was to be one-eighth and one-eighth; that he explains why this arrangement was changed; why he was compelled to increase the amount paid to the parties indicated, and that his principals accepted the settlement thus tendered, received their certificates, and agreed to the distribution in accordance therewith.

It is not supposable that such men as those, men accustomed to the ways of the world and of more than ordinary business shrewdness, would have quietly submitted to such a division of the proceeds of the award in this case if there had been no such preliminary understanding as Mr. Murray alleges, and if he had not satisfied them that the certificates were distributed, and the payments, as set forth. If the statements made in this report are true (and there can be no reasonable doubt of their veracity when taken in connection with the attendant circumstances and with the declarations of Mr. Talmadge in his sworn statement before the Committee on Foreign Affairs of the House of Representatives), then, in the language of a distinguished attorney to whom these papers were submitted, "the members of the commission had a pecuniary interest, and were guilty of gross corruption in respect to a portion of the awards, and they shared in the fruits thereof in the fulfillment of a contract previously made."

The spirit of the extract from the note of Mr. Seward would seem to require that the entire proceedings and the general awards as to all the claims be set aside as tainted with fraud, and a new commission authorized under the treaty between the two governments, and this because of the elements of unity in the submission, consideration, and proposed governmental enforcement of the claims.

I have read carefully the report of the Congressional committee and the correspondence and evidence before mentioned, and these, together with the original letter referred to (Murray's report to Nobles), force upon my mind the conviction that gross wrong has been done through that commission. In all cases before the legal tribunals of the country corruption in an arbitrator would vitiate the award. Shall this rule not likewise apply when nations are concerned? National honor forbids the enforcement of a decision made by a corrupt tribunal, and requires that opportunity be given for a rehearing.

That which is here proved to be the fact in the case of Beales, Nobles, and Garrison, was unquestionably the fact with respect to all the claims for which Murray was attorney, and in which he received about one-half of the proceeds for his fees. It is not reasonable to suppose that such an arrangement would only be made with respect to this claim, when the same man secured the management of the other claims for the same reasons, viz, his influence with, and relations to, the commission, and received about the same proportion of their proceeds. In fact, the whole transaction is of such a questionable character that it raises within itself the strong presumption of fraud.

Then there is this positive proof of fraud in this case, establishing the strong presumption that the same division was made in the others, and abundant corroborative evidence of that fact will be found in the evidence taken before the Committee on Foreign Affairs. By reference to pages 68 and 69 of the above-cited testimony it will be seen that one Seth Driggs and Mr. Murray jointly made a contract, in which it is set up that Driggs had, in his own right and as attorney, certain claims against the Government of Venezuela, ten in number, said claims being named; that all of said claims were to be placed in the hands of Murray, for presentation and prosecution before the commission, and that

one-half of the value of said claims, according to the several awards thereon, respectively, and the certificates issued thereon, should be paid to, and be retained by, the said Murray as his own individual property, share, and interest in said claims, according to the several awards to be made, for the prosecution and management of said claims before said commission, and in which it is further agreed that the said William P. Murray should execute a power of attorney to David M. Talmadge, United States commissioner, to receive and deliver to the respective parties the certificates which might be granted in virtue of the award to the parties according to the true intent of the parties to that agreement; that said David M. Talmadge should be instructed and authorized and empowered, and was thereby authorized and empowered, to deliver to said Seth Driggs, for his own use and benefit, one-half of the award to be made, and to William P. Murray, as attorney, the remaining one-half.

Appended to this contract there is the following receipt from Mr. Driggs to Mr. Talmadge for his share of the awards in the cited claims, viz:

> Received from David M. Talmadge, seventeen certificates of awards issued by the mixed commission, now in session in the city of Caracas for the adjustment of claims of citizens of the United States against Venezuela, numbered, respectively, from 344 to 360, both inclusive, on account of awards made by the umpire of said commission in sundry and several of the aforesaid claims, in the aggregate amounting to $150,038, being in full satisfaction of the amount of the awards made by the commission or the umpire in the cases mentioned in the foregoing agreement, and that William P. Murray has therein expressed to be my share of the same, and in full discharge of said Talmadge from any and all obligations implied or expressed in the said aforegoing agreement to deliver to me one-half of said awards, and in full discharge on his part of all liability on any account to me, the undersigned.
>
> In witness thereof I have hereunto affixed my signature the 5th day of August, 1868.
>
> SETH DRIGGS.

It will be observed that the receipt is specific and full, that it gives the number of the certificates, and the aggregate amount in dollars. The receipt appended to the same contract from Mr. Murray to Mr. Talmadge, for his share of the proceeds of these awards, is essentially different and very significant. It is as follows:

> CARACAS, *August* 5, 1868.
>
> Received from David M. Talmadge, certain certificates of awards made by the mixed commission in the within-mentioned claims, in full discharge of said Talmadge of, and of all liability on account thereof, or of the power of attorney executed by me to him in accordance with the provision of said annexed agreement.
>
> WM. P. MURRAY.
>
> Witness: FRED'K BRAUN.

It suited the purposes of these parties and comported with the facts of the case, for them to take a specific receipt from Mr. Driggs, setting forth the number of certificates, their serial number, their amount, in fact to make it a business-like and proper receipt in such a case. It equally suited their purposes and was necessary to make the other receipt vague and indefinite, specifying only that "certain certificates" had been received by Mr. Murray, leaving the balance to take the course agreed upon previously.

Further confirmation will be found in the sworn testimony of the Hon Godlove S. Orth, on pages 70 to 77. This testimony establishes the following facts: That Orth was employed by Talmadge and Stilwell as attorney to secure the passage of the act of Congress of 1873; that they jointly paid him, partly in cash and partly in these Venezuelan certificates. The denominations of the certificates paid to him were of $1,000 each. No certificates of that amount were issued on account of any of

the claims, except those of Mr. Driggs, as will be seen by the list, pages 161 to 165 inclusive. Where did those $1,000 certificates come from? They were not given by Driggs. He had protested against the payment of the dividend upon them, alleging that they had been unlawfully and unjustly retained by Talmadge. They were unquestionably a part of the 50 per cent. of the Driggs claims received by Murray, and given by him to Talmadge and Stilwell as their share of the proceeds of these claims. If these certificates held by Talmadge had been acquired in the questionable manner even of purchase from Murray, he would not have been so reluctant to state that fact to the committee, and to have adopted in preference the desperate expedient of swearing that he could not remember of whom he had obtained them or what he had done with them. It will be further seen by examination of the testimony of Orth, that he wrote the State Department, from La Fayette, Ind., under date of July 9, 1873, that a friend of his was the holder of a number of these certificates issued in the Driggs claims, and that he was informed that Driggs had notified the Department not to pay the 7 per cent. dividend then due and payable to the holders of these certificates; that he again wrote upon the same subject ,on July 22d, urging the Department for an answer, and that when he was pressed by Assistant Secretary of State Davis for a specific statement as to the number of the certificates and the name of their holder, he in his letter, dated August 18, gave the name of Thomas Brown, but it turned out that neither he nor Mr. Talmadge knew who this Thomas Brown was, where he came from, what certificates he held, nor when nor how he acquired them. In fact, Mr. Talmadge, in his sworn statement, as found on page 89 of the cited report, distinctly admits that Mr. Thomas Brown was a "man of straw," a fictitious person; and Mr. Orth swears that the friend who wrote him on the subject was Mr. Talmadge, thus clearly establishing that the holder of these $1,000 certificates, a part of which had been paid to Mr. Orth, was David M. Talmadge, and that he had come into their possession by fraudulent, and improper means, or they would not have sought to cover the matter by invention of the fictitious personage of Mr. Thomas Brown.

The formal report of Mr. Murray to his clients, quoted from above, setting forth distinctly and in detail the arrangements entered into by him with the commissioners and umpire, with respect to the claim of Beales, Nobles, and Garrison, specifying the sums paid to each, giving the secret history of the proceedings of the commission, and the means by which the corrupt awards were obtained, furnishes the basis of what was unquestionably their understanding and arrangement with respect to all the other claims in which Murray was attorney and received about one-half of their proceeds. Taking this to be true, then Talmadge and Stilwell's whole course in the matter is explained and understood. It is then comprehended why they were so anxious for Congressional action upon this subject; why they took the lead in all the efforts around the halls of Congress to have the doings of the commission confirmed and supported by Congressional action; why they employed Mr. Orth as attorney for the same purpose, and paid him liberal fees for his services; why Mr. Talmadge was unable to state to the committee how many certificates he had had, and from whom he received them, what price he had paid for them, and to whom he had sold them, and why he, to explain the motive of his activity and labors at Washington, swore distinctly and positively that Mr. Benjamin L. Swan had paid him ten to twelve thousand dollars as fees for his attendance at the capital, when Mr. Swan swore as positively that he had not paid him that or

any other sum for that or any other purpose. In the light of the revelations of Mr. Murray's report all this is clear, and their conduct, especially that of Mr. Talmadge, is utterly inconsistent with any other theory.

Upon this positive proof of fraud and corruption, and in the spirit and according to the letter of the note of Mr. Seward to Mr. Muñoz y Castro above cited, the Government of Venezuela claims and asks that the awards of the mixed commission under the convention of April 25, 1866, be set aside as "absolute nullities," and that the cases be submitted to a new commission.

In my dispatch of November 9, 1875, the willingness of the Government of Venezuela to continue its monthly payments on account of what may be found justly due the citizens of the United States after a revision shall have been made, and to agree to everything that shall be deemed necessary for a speedy and equitable settlement of all pending claims, is fully and officially set forth.

Of course, I understand that no negotiations can be entered into with Venezuela by the executive department of the United States, with reference to a revision of these awards until the act of Congress of 1873, declaring them to be final and subsisting as against the Government of Venezuela, shall have been repealed; but it is not doubted that when the facts set forth in this communication, sustained by the documents and evidence that will be produced in support of these facts, shall be brought to the attention of Congress, they will promptly repeal said act and authorize the executive department of the government to enter into negotiations with the Government of Venezuela for the appointment of a new commission.

This method of reaching Congress upon this matter through the legitimate channel of the State Department is done in the hope that recommendation will be made for such action as will accord to Venezuela, a weak and struggling republic, the justice that the circumstances of the case so imperiously require, and that, for the honor of both natons, and the credit and usefulness of the principle involved, the great scandal of this commission be expunged from the history of international arbitrations.

Accept, sir, &c.,

JUAN B. DALLA COSTA.

Mr. Murray to Colonel Nobles.

SAINT PAUL, MINN., *September* 3, 1868.

DEAR COLONEL: On the 20th ultimo I reached Washington, and the 26th, New York, where I went for the purpose of closing up our Venezuela matter with Dr. Beales. I had hardly reached New York before I received a telegram from Stilwell which required my immediate presence. I at once left New York on a moment's notice, for Anderson, intending to return to New York. At Anderson I found my family, and then learning you were at Saint Paul, I came to the conclusion it was just as well to report to you, which would obviate the expense of my return to New York. On my reaching Caracas two months elapsed before General Talmadge arrived, and two months more before the umpire was appointed. During this time I examined all the papers and correspondence on file at the United States legation at Caracas, and with the Government of Venezuela, in regard to the contracts upon which the claim was based. I found two mistakes had been made in the management and prosecution of the claims: the first was the filing of a claim by Dr. Beales for $200,000, and his correspondence with Culver, which Culver gave to the government as soon as received; the next mistake was in draughting our petition, relying almost wholly on the ocean-steamers contract for damages, whereas we should have based our claim on the emigration con

tract. I at once went to work to manufacture public opinion so as to secure an award. Conde was then the Venezuelan commissioner. I tried the usual appliances of talking up the merits of the claim to him, but it was no go. I then offered him, first, $25,000; then $50,000 for a $200,000 award, but failed. I then felt satisfied that unless Conde could be got rid of I might as well return home. Stilwell and myself at once went to work at Falcon to secure Conde's removal, but as Falcon had abrogated the contracts, and the filing of the claim had then become notorious in Caracas, Falcon not only refused to remove him, but as a matter of fact approved of his course. The flight of Falcon a few weeks after, and the assumption by Bruzual of the Presidential chair, led to another offer on our part to secure the removal of Conde. After several interviews, it was agreed that Conde should be removed provided Bruzual was recognized as President and the influence of the legation should be used to secure one thousand stand of rifles and four pieces of artillery, which contract was carried out by all parties. The appointment of Mr. Villafañe as commissioner led us to hope our trouble was at an end, as I had made him a proposition before his appointment, but I was disappointed, as the success of the revolution suspended everything, and Villafañe refused to act any longer as commissioner unless reappointed by Monagas. Monagas, on the other hand, would do nothing unless the legation would recognize his government, which they were compelled to do or let the commission go up. The reappointment of Villafañe closed the negotiations with the government. My labor was then with the commissioners. Upon the arrival of Talmadge at Caracas, to get him enlisted I agreed to give him one-eighth of the award; subsequently I agreed to give another party one-eighth to secure the removal of Bruzual. Upon the appointment of Villafañe I promised him $25,000 if he would give us an award of $200,000, and finally I agreed to give the umpire $25,000 for a $250,000 award, these sums amounting to $112,000. I paid the several parties as I agreed, before I left Caracas, leaving $137,500. The original contract, as you will remember, was one-eighth and one-eighth. This was after increased to one-half in the event of a $200,000 award. I herewith pay over $100,000, which you can distribute among the parties in interest. The $37,500 I retain as my fee.

Yours,

W. P. MURRAY.

I hereby certify that foregoing is a true copy of the original in my possession.

WM. A. PILE.

PHILADELPHIA, *October* 30, 1877.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 31.

CLAIMS ALLOWED UNDER ACT OF JULY 4, 1864.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

List of claims allowed under the act of July 4, 1864.

JANUARY 15, 1878.—Referred to the Committee of Claims and ordered to be printed.

TREASURY DEPARTMENT,
Washington, D. C., January 14, 1878.

SIR: In compliance with the second section of the act of Congress approved June 16, 1874, I have the honor to transmit, with the papers in each case, lists of 345 claims, amounting to $131,406.35, arising under the act of July 4, 1864, and examined and allowed by the proper accounting-officers since January 17, 1877.

Very respectfully,

JOHN SHERMAN,
Secretary.

Hon. SAMUEL J. RANDALL,
Speaker House of Representatives.

44,550.	Samuel Adams, Nicholas County, Kentucky	$105 00
44,754.	Nathaniel W. Alnutt, Montgomery County, Maryland	189 00
45,404.	William T. Allmond, Maury County, Tennessee	700 00
43,960.	William J. Amann, McCracken County, Kentucky	1,800 00
42,780.	Mary E. Anderson, Montgomery County, Maryland	602 00
39,787.	J. B. Argo, Warren County, Tennessee	223 50
44,674.	Joseph Arnold, Mineral County, West Virginia	224 70
44,346.	David Atchley, Clermont County, Ohio	110 00
44,632.	William Andrews, administrator de bonis non of Ira A. Holland, deceased, late of Crawford County, Kentucky	565 33
44,939.	Archibald Become, Monroe County, Tennessee	250 00
35,959.	Charles P. Bacon, administrator of the estate of R. P. Bacon, deceased, late of McCracken County, Kentucky	125 00
41,935.	Elias D. Ball, Boyle County, Kentucky	915 58
45,500.	Stephen Barnes, Hamilton County, Ohio	135 00
44,233.	Fielding A. Barnhouse, Mineral County, West Virginia	120 00
42,435.	Benjamin Barr, Madison County, Tennessee	115 00
45,075.	Thomas D. Bass, De Kalb County, Tennessee	250 00
41,711.	Samuel L. Beach, H. H. Beach, and Harriet wife of David Cumming, children and distributees of W. D. Beach, deceased, late of Jefferson County, Kentucky	191 00

42,132.	Margaret J. Beall, in her own right, and Margaret J. Beall, administratrix of the estate of Matilda B. L. Beall and Jane Elizabeth Beall, deceased, Montgomery County, Maryland	$170 50
45,530.	Edward Beall, Guernsey County, Ohio	60 50
42,233.	Alonzo and Virginia Berry, administrator and administratrix of the estate of Otho Williams, deceased, late of Washington County, Maryland	840 00
45,334.	Henry Berry, Benton County, Missouri	265 00
45,115.	John W. Black, Brown County, Ohio	120 00
44,166.	Eliza M. Blackford, executrix of the last will and testament of H. V. S. Blackford, deceased, late of Washington County, Maryland	1,398 20
45,501.	William A. Blair, Delaware County, Indiana	110 00
42,190.	Jacob B. Bleeker, executor of the last will and testament of Jacob Bleeker, deceased, late of Washington County, Maryland	340 05
42,437.	William Bolton, Davidson County, Tennessee	290 00
44,415.	Yelverton O. Booker, Green County, Kentucky	55 38
42,298.	Stephen Boyd, Davidson County, Tennessee	390 00
45,037.	John Boydstun, Hamilton County, Tennessee	498 19
44,435.	Mary J. Brandon, wife of S. O. W. Brandon, Montgomery County, Tennessee	2,105 00
39,105.	L. F. Branson, Hardy County, West Virginia	1,078 00
44,222.	Philip G. Breen, Davidson County, Tennessee	62 50
44,756.	B. B. Brinkley, Cheatham County, Tennessee	80 00
45,105.	Henry Brown, Athens County, Ohio	95 00
44,387.	Martha Brown, administratrix of the estate of Alfred Brown, deceased, late of Putnam County, West Virginia	817 20
44,727.	John W. Brown, Montgomery County, Maryland	170 50
44,820.	Nat. Brown, Limestone County, Alabama	100 00
44,183.	B. H. Burton, Crittenden County, Kentucky	565 00
45,370.	A. J. Bynum, Maury County, Tennessee	700 00
45,682.	Archibald Bacome, MonroeCounty, Tennessee	2,707 00
45,502.	Samuel Blanchard, Clermont County, Ohio	135 00
45,711.	A. Bradshaw, McCracken County, Kentucky	1,900 00
42,418.	James J. Brengle, administrator of the estate of Lawrence J. Brengle, deceased, late of Frederick County, Maryland	101 97
45,686.	Wesley Burnett, Clermont County, Ohio	100 00
39,720.	Isaac A. Caldwell and Mary, his wife, Murray E. Turner, Martha J. Turner, Francis E. Turaer, Clifton R. Turner, and Isaac A. Caldwell, guardian of Catherine Turner, of Franklin County, Tennessee	181 87
45,327.	J. C. Callis, administrator of the estate of John Priest, deceased, late of Shelby County, Tennessee	515 00
45,179.	John Campbell, Hamilton County, Illinois	110 00
42,458.	William Campbell, Whitley County, Kentucky	90 00
45,371.	John Carrington, Calloway County, Missouri	390 00
44,388.	W. H. Caplinger, Oldham County, Kentucky	125 00
44,574.	Anderson Chenault, Montgomery County, Kentucky	90 00
44,110.	Mary Claggett, Frederick County, Maryland	498 00
29,535.	Nathaniel Claggett, Montgomery County, Maryland	1,135 00
43,979.	Robert S. Clark, Sevier County, Tennessee	46 00
41,069.	Alfred Clore, Boone County, Kentucky	110 00
44,914.	James C. Cobb, in his own right, and James C. Cobb, guardian of John S. Cobb, Hamilton County, Tennessee	570 00
21,969.	Sampson D. Cole, administrator with the will annexed of Sarah Thompson, deceased, and was also known as Sarah Lovelace, late of Knox County, Tennessee	98 00
44,367.	A. A. Coleman, Hardeman County, Tennessee	260 00
45,335.	George W. Cockrell, Jefferson County, West Virginia	875 00
39,001.	William F. Combs, Hardin County, Kentucky	150 00
45,354.	Robert G. Connell, Montgomery County, Maryland	626 50
44,740.	S. L. Collins, Madison County, Tennessee	357 40
45,616.	William Collins, Brown County, Ohio	70 00
44,147.	Barnes Compton, Baltimore, Maryland	190 00
45,591.	Isaac Cook, Wyoming County, West Virginia	152 50
42,256.	J. W. Corley, Davidson County, Tennessee	99 00
44,255.	Gabriel Corley, Lewis County, West Virginia	120 00
44,821.	Joseph and Thomas F. Cover, administrators of the estate of John Cover, deceased, late of Carroll County, Maryland	540 00
42,299.	Jacob H. Cost, Washington County, Maryland	55 12
44,480.	Lewis C. Corkerly, and Lewis C. Corkerly, executor of the last will and testament of John C. Herring, deceased, late of Frederick County, Maryland	95 00

44,448.	W. H. Craddock, Hardeman County, Tennessee	$90 00
45,249.	John P. Craver, administrator of the estate of Gabriel Cullin, deceased, late of Clermont County, Ohio	50 00
42,265.	Mary E. Crane, Maury County, Tenneessee	150 00
44,352.	John Criswell, Harrison County, Kentucky	150 00
42,320.	Sarah R. Cronise, executor of the last will and testament of Gideon Cronise, deceased, late of Frederick County, Maryland	67 80
45,322.	Thomas Crutchfield, Hamilton County, Tennessee	3,104 00
44,347.	Asher Curless, jr., Clermont County, Ohio	125 00
44,389.	William O. Curtis, Clermont County, Ohio	135 00
45,698.	Jacob F. Collier, Spencer County, Kentucky	160 00
45,699.	Nancy H. Crouch, Shelby County, Tennessee	1,800 00
45,405.	Amos B. Daniels, Maury County, Tennessee	75 00
45,106.	Justus B. Dartt, Meigs County, Ohio	80 00
44,027.	W. A. Davis, administrator of the estate of Gibson Mallory, deceased, late of Jefferson County, Kentucky	575 00
38,781.	Frances Davis, Harrison County, West Virginia	125 00
44,288.	George M. Davis, Clermont County, Ohio	50 00
45,592.	Henry Davis, Clermont County, Ohio	60 00
42,266.	Thomas Davis, Wilson County, Tennessee	480 00
44,558.	Rev. Roland S. Dayton, Alleghany County, Maryland	1,390 90
44,559.	John F. Dayton, Mineral County, West Virginia	449 00
44,557.	Patrick M. Dayton, Alleghany County, Maryland	770 00
44,390.	A. M. V. B. Deaner, administrator of the estate of Christian Deaner, deceased, late of Washington County, Maryland	135 15
44,786.	David Deck, Berkeley County, West Virginia	459 00
41,303.	David H. Dickey, Monroe County, Tennessee	725 00
44,404.	J. F Dickinson, Barren County, Kentucky	24 00
45,372.	William A. Dobbin, Maury County, Tennessee	800 00
44,741.	Wesley Drake, administrator of the estate of E. C. Drake, deceased, late of Davidson County, Tennessee	1,552 73
44,022.	John C. Driver, Crittenden County, Kentucky	90 00
42,321.	B. G. Drumwright, Williamson County, Tennessee	220 00
45,565.	William Duff, Guernsey County, Ohio	55 00
45,406.	Sallie A. Dunn, Garrard County, Kentucky	250 00
44,481.	M. D. Dunlap, Pocahontas County, West Virginia	389 00
42,740.	Mary H. Duphorne. Frederick County, Maryland	187 50
45,700.	George Danberry, Shelby County, Tennessee	150 00
40,287.	George W. Easterday, Washington County, Maryland	47 05
45,687.	James W. Engle, executor of the last will and testament of John Engle, deceased, late of Jefferson County, West Virginia	836 50
44,968.	James B. Elgin, administrator of the estate of Mary Elgin, deceased, late of Montgomery County, Maryland	1,123 00
44,353.	Isaac Edwards, Clermont County, Ohio	135 00
45,278.	John Erthal, Adams County, Ohio	110 00
42,779.	Solomon Eavey, Washington County, Maryland	3 00
44,482.	Thomas S. Ellison, Cumberland County, Kentucky	124 80
42,306.	Thomas H. Etchison, Frederick County, Maryland	135 00
44,202.	John Fauble. Frederick County, Maryland	45 06
42,335.	Samuel Feathers, Washington County, Tennessee	375 00
44,132.	William L. Fertig, Greenbriar County, West Virginia	144 00
45,554.	John R. Field, Hamilton County, Ohio	135 00
45,475.	Robert C. Fiester, Guernsey County, Ohio	75 00
44,106.	George Forsythe, Marion County, Missouri	100 00
44,560.	J. H. Foster, Kenton County, Kentucky	155 00
42,280.	W. C. A. Foster, Maury County, Tennessee	32 00
45,029.	Alfred Trieze, Polk County, Missouri	63 68
45,593.	J. T. Fracker, Muskingum County, Ohio	135 00
45,852.	William A. Franklin, executor, and Mary C. Franklin, executrix, of the last will and testament of Jesse B. Franklin, deceased, late of Hardeman County, Tennessee	725 00
44,135.	Daniel Grove, Frederick County, Maryland	24 50
44,169.	Richard P. Gresham, Rockcastle County, Kentucky	541 61
45,476.	John F. Gaither, Bourbon County, Kansas	732 50
44,627.	R. F. Galyon, Jefferson County, Tennessee	217 50
44,328.	Leander S. Garrett and Thomas L. Garrett, McCracken County, Kentucky	1,687 50
44,507.	W. T. Garrett, Coffee County, Tennessee	265 00
44,650.	J. W. Gass, administrator of the estate of A. H. Gass, deceased, late of Bradley County, Tennessee	55 00

44,311.	Wesley Gaston, McMinn County, Tennessee	$29 20
44,406.	James Glidewell, Robertson County, Tennessee	130 00
41,945.	Paulina A. Gillespie, administratrix of the estate of James H. Gillespie, deceased, late of Franklin County, Tennessee	147 50
42,042.	Robert Gillespie, Shelby County, Tennessee	1,025 00
42,208.	Sarah A. Goodwin, wife of George M. Goodwin, Rutherford County, Tennessee	658 34
44,728.	B. F. Graves, Washington County, Maryland	281 00
44,405.	Wesley Gallogly, Muskingum County, Ohio	75 00
44,561.	R. R. Hackney, Rockcastle County, Kentucky	44 97
44,628.	R. R. Hackney, Rockcastle County, Kentucky	10 50
42,211.	William L. Haller, administrator of the estate of Jacob Haller, deceased, late of Frederick County, Maryland	60 56
44,913.	John Hamilton, administrator of the estate of James H. Hamilton, deceased, late of Metcalfe County, Kentucky	165 00
45,031.	James H. Hamilton, Clermont County, Ohio	270 00
44,483.	John Hammond, Washington County, Maryland	515 00
42,268.	Margaret Hanly, Bourbon County, Kentucky	115 50
44,651.	Joseph A. Harbison, Knox County, Tennessee	42 00
45,399.	John G. Hardman, Warren County, Kentucky	130 00
44,369.	Chaunce Haskell, Clermont County, Ohio	125 00
44,193.	John H. Hedges, executor of the last will and testament of James Hedges, deceased, late of Bath County, Kentucky	87 50
45,139	Henry Helsley, Highland County, Ohio	135 00
45,257.	George W. Heltman, Cleremont County, Ohio	100 00
44,370.	Solomon Heltman, Clermont County, Ohio	130 00
42,387.	John H. Henderson, Randolph County, Missouri	171 00
45,114.	Rachel Henry, widow of Benjamin F. Henry, deceased, late of Pike County, Ohio.	50 00
45,504.	Thomas Hitch, Clermont County, Ohio	135 00
44,391.	Anthony Hitts, Hamilton County, Ohio	100 00
42,852.	W. M. Hixon, Hamilton County, Tennessee	47 50
44,023.	Edward Hodges, Laurel County, Kentucky	30 00
45,253.	Andrew Hoffman, administrator of the estate of Cornelius Wilkins, deceased, late of Brown County, Ohio	90 00
44,329.	Joel Homan, Clermont County, Ohio	175 00
44,354.	Thomas Homan, Clermont County, Ohio	130 00
45,178.	Paul S. Huston, Hamilton County, Ohio	140 00
45,100.	John J. Howard, administrator of the estate of William Black, deceased, late of Clermont County, Ohio	125 00
44,729.	William Hudson, Pulaski County, Kentucky	517 50
45,555.	John M. Hunt, Clermont County, Ohio	220 00
44,819.	Thomas H. Harris, administrator of the estate of James Toone, deceased, late of Hardeman County, Tennessee	612 50
42,339.	Harry W. Hews. administrator of the estate of James A Hews, sr., deceased, late of Philadelphia County, Pennsylvania	21 41
41,067.	John W. Hunt's (deceased) heirs, late of Hardeman County, Tennessee, to wit: Mary V. Patterson, $433 34; Thomas D. Hunt, $433 33; W. D. Gaither, guardian of John W. Hunt, $433 33; making a total amount	1,300 00
45,721.	Elizabeth E. Herriford, Franklin County, Tennessee.	90 00
44,562.	James W. Inskeep, Alleghany County, Maryland	1,373 75
45,076.	James Ivey, Coffee County, Tennessee	372 00
44,521.	James Jacks, Columbiana County, Ohio	110 00
42,639.	James Jaggers, Hardin County, Kentucky	150 00
45,407.	William Jamison, executor of the last will and testament of Ethelbert Kerby, deceased, late of Maury County, Tennessee	1,670 00
45,320.	Elizabeth Jarboe, Montgomery County, Maryland	1,042 50
42,341.	Jonathan Jenkins, Barbour County, West Virginia	100 00
44,563.	Benjamin C. Jenkins, administrator of the estate of Benjamin A. Jenkins, deceased, late of La Rue County, Kentucky	38 00
42,276.	Gregory Johnson, Williamson County, Tennessee	120 00
45,713.	William C. Jenkins, Shelby County Tennessee	760 00
44,669.	Eliza O. Kelly, Henry County, Missouri	383 50
45,010.	Miles Kelly, Warren County, Kentucky	1,749 20
39,974.	George S. Kennedy, Washington County, Maryland	30 00
42,794.	S. Kennedy, administrator of the estate of Bryant Wooland, decaesd, late of Jefferson County, Tennessee	135 00
45,078	Thomas H. Kenworthy, Douglas County, Missouri	75 00

44,136.	Jones L. King, Polk County, Missouri	$6 18
42,345.	Ira W. King, administrator of the estate of Mary Roundtree, deceased, late of Smith County, Tennessee	78 75
45,077.	Nancy King, widow of Martin King, deceased, Douglas County, Missouri	75 00
44,502.	William L. King, trustee of John Hager, Washington County, Maryland	84 00
44,016.	Alexander Knight, Greenbrier County, West Virginia	272 50
44,235.	Edmund Knowles, Henderson County, Tennessee	225 00
45,478.	Samuel Laird, Adams County, Ohio	50 00
42,252.	Charles Langdon, Jefferson County, West Virginia	100 00
44,028.	Ransom Langham, Maury County, Tennessee	130 00
44,655.	John C. Landreth, McNairy County, Tennessee	140 00
44,181.	Richard Lay, Washington, District of Columbia	297 50
45,258.	Daniel Leaf, Clermont County, Ohi	135 00
45,479.	John W. Levee, Clermont County, Ohio	125 00
44,564.	John B. Lemon, Benton County, Missouri	240 00
42,278.	Robert Lemen, Berkely County, West Virginia	842 24
44,338.	Israel and Samuel Lewis, Belmont County, Ohio	80 00
45,144.	William Lewis, Green County, Kentucky	320 00
45,411.	Rufus Lisenby, administrator of the estate of James Williams, deceased, late of Maury County, Tennessee	200 00
44,792.	John W. Long, Frederick County, Maryland	18 00
45,079.	M. C. Lowe, Davidson County, Tennessee	115 00
44,392.	John F. Lukemires, Clermont County, Ohio	120 00
44,355.	William Lyle, Clermont County, Ohio	325 00
45,337.	Martha A. Leake, executrix, and Elgin K. Leake, executor, of the last will and testament of Virginius Leake, deceased, late of Shelby County, Tennessee	205 20
45,688.	George Lip-comb, Maury County, Tennessee	920 00
45,767.	Peter Lowrey, Davidson County, Tennessee	175 00
45,882.	Estate of Nathaniel Lindsey, deceased, Davidson County, Tennessee	1,875 00
44,224.	Isaac McClelland, Butler County, Ohio	235 00
44,691.	John H. McClelland, Hardeman County, Tennessee	174 20
42,431.	James D. McConnell, Barren County, Kentucky	716 50
30,028.	Thomas W. McCoy, Holt County, Missouri	135 00
41,977.	Alexander McHatton, Hart County, Kentucky	1,390 00
44,629.	Milton S. McIntyre, Linn County, Kansas	100 42
44,485.	Daniel W. McKenzie, Benton County, Mississippi, (formerly Fayette County, Tennessee	1,225 00
44,971.	Franklin T. McLaurine, Giles County, Tennessee	2,718 03
44,465.	W. McReaves, Hardeman County, Tennessee	180 00
44,209.	E. B. Malcolm, Cabell County, West Virginia	100 00
44,484.	Mary Marlow, Frederick County, Maryland	445 50
45,080.	Elias Martin, Douglas County, Missouri	75 00
42,422.	James Martin, Davidson County, Tennessee	805 00
43,980.	Melvina A. Metcalfe, Union County, Kentucky	590 00
44,418.	G. W. Millen, Todd County, Kentucky	75 00
44,342.	Michael H. Miller, Amherst County, Virginia (formerly Washington County, Maryland)	81 12
44,173.	Robert A. Miller, Metcalfe County, Kentucky	95 00
44,372.	John H. Moore, Franklin County, Tennessee	1,566 00
44,537.	Marshall R. Moore and Eliza J., his wife, Rockcastle County, Kentucky	196 60
45,090.	Pierson Moore, Noble County, Ohio	110 00
44,092.	R. L. Moore, Crittenden County, Kentucky	910 00
44,758.	J. W. and A. F. Moser, Jefferson County, Tennessee	231 50
44,759.	Philip T. Moser, Jefferson County, Tennessee	107 50
44,340.	Hezekiah Mount, Clermont County, Ohio	25 00
45,032.	James Mullican, Montgomery County, Maryland	985 00
45,556.	Robert D. Murray, Hardin County, Kentucky	317 00
45,769.	James Maget, Knox County, Tennessee	2,538 70
45,683.	William S. McPherson, Frederick County, Maryland	519 75
45,690.	John M. Malsbury, Hamilton County, Ohio	85 00
45,689.	J. C. Marshall, administrator of the estate of Robert J. Marshall, deceased, late of Brown County, Ohio	110 00
45,722.	Daniel C. Miller, administrator of the estate of John Miller, deceased, late of Frederick County, Maryland	468 00
54,408.	Mary Ann Offutt, Montgomery County, Maryland	148 05
44,565.	J. W. Orr, Crittenden County, Kentucky	140 00

45,506.	W. M. Outlaw, Hardin County, Kentucky	$135 00
42,284.	Eli Owen, Randolph County, Missouri	150 00
45,618.	Samuel J. Patterson, administrator of the estate of John Q. Smith, deceased, late Clermont County, Ohio	135 00
45,346.	J. L. Payne, Franklin County, Tennessee	462 00
42,404.	Elmira M. Pearce, Sullivan County, Tennessee	100 00
44,417.	W. W. Pierson, Union County, Kentucky	42 60
45,091.	Daniel Pence or Penee, Adams County, Ohio	135 00
45,279.	Julius A. Penn, Clermont County, Ohio	150 00
44,348.	Ira Perin, Clermont County, Ohio	75 00
42,178.	Susannah Perkins, Franklin County, Tennessee	2,171 25
45,141.	Charles Petithory, Brown County, Ohio	125 00
42,179.	Frederick S. Poole, W. W. Poole, and Thomas W. Hyde, executors of the last will and testament of Thomas Poole, deceased, late of Montgomery County, Maryland	684 19
45,374.	Austin Porter, Maury County, Tennessee	250 00
45,375.	Thomas Porter, Maury County, Tennessee	250 00
45,376.	Nathaniel Powell, Maury County, Tennessee	410 00
44,101.	Peter Price, Boone County, West Virginia	505 00
44,419.	William Price, Hawkins County, Tennessee	80 00
44,848.	C. H. Progler, Jackson County, West Virginia	14 06
40,300.	Philip Pry, Washington County, Maryland (amount allowed by Second Comptroller)	327 88
44,677.	John Purcell, Jefferson County, Kansas	105 00
45,691.	William Peniston, Pike County, Ohio	332 00
45,373.	Mary Porter, executrix of the last will and testament of William T. Porter, deceased, late of Maury County, Tennessee	450 00
44,393.	Michael Rackard, Knox County, Tennessee	112 50
44,394.	Jacob B Reed, Clermont County, Ohio	135 00
44,486.	Philip Reich, Frederick County, Maryland	718 10
44,256.	John Reynolds, Washington County, Maryland	85 75
44,519.	James F. Ringsby, administrator of the estate of Fielding Ringsby, deceased, late of Hamilton County, Ohio	125 00
45,082.	Richardson Ritter, Douglas County, Missouri	75 00
45,480.	William M. Robbins, Brown County, Ohio	120 00
45,328.	Charles Robinson, jr., Clermont County, Ohio	325 00
39,545.	Mary A. Robinson, administratrix of the estate of A. B. Robinson, deceased, late of Saint Clair County, Missouri.	30 00
44,566.	James S. Rogers, Taylor County, Kentucky	125 00
44,034.	Ross and Mangum, Hardin County, Tennessee	1,300 00
45,083.	Jesse J. Ruark, Douglas County, Missouri	75 00
44,091.	H. Ruby, R. J. Lawton, C. B. Ruby, and Henry R. Ruby, partners under the firm of H. Ruby & Co., Cumberland County, Pennsylvania	382 85
45,508.	Alexander Rumage, Maury County, Tennessee	500 00
45,108.	John Ruth, Athens County, Ohio	120 00
45,409.	Frederick J. Ryan, Athens County, Ohio	140 00
45,692.	Daniel Roudebush, Clermont County, Ohio	80 00
45,557.	Calvin Sanders, Shelby County, Tennessee	184 25
45,509.	Henry N. Serber, Brown County, Ohio	130 00
45,510.	Catharine Serber, widow of Leonard Serber, deceased, Brown County, Ohio	120 00
40,120.	Francis A. Settle, Kanawha County, West Virginia	571 72
44,479.	G. F. Sims, administrator of the estate of William Boseley, deceased, late of Hampshire County, West Virginia	100 00
45,295.	Abel P. Sinnett, Kanawha County, West Virginia	2,534 00
45,481.	William A. Scott, Maury County, Tennessee	250 00
40,948.	Charles G. Scroggin, Obion County, Tennessee	195 00
44,760.	John K. Shackelford, Hopkins County, Kentucky	230 00
42,425.	William Sharp, Pocahontas County, West Virginia	159 00
45,116.	G. G. Shinn, Adams County, Ohio	100 00
44,395.	H. S. Shoudy, administrator of the estate of P. G. Rowlett, deceased, late of Hart County, Kentucky	5,606 25
45,113.	Henry M. Skillman, Hamilton County, Ohio	260 00
44,373.	J. L. Smedley, Mercer County, Kentucky	67 75
42,824.	Elijah Smith, Whitley County, Kentucky	26 50
45,140.	Samuel A. Smith, executor of the last will and testament of Knight McGregor, deceased, late of Brown County, Ohio	110 00
44,946.	Washington C. Snively, Washington County, Maryland	105 00
44,192.	Ezra A. Snyder, Washington County, Maryland	12 50

44,410.	Sarah Snyder, executrix of the last will and testament of George N. Snyder, deceased, late of Washington County, Maryland	$414 40
45,511.	William Svy, Vinton County, Ohio	80 00
44,487.	Mary Steiner, administratrix of the estate of Jacob Steiner, deceased, late of Frederick County, Maryland	344 50
45,041.	Joshua E. Stephens, Cooper County, Missouri	275 00
44,093.	Elizabeth Stewart, Fayette County, Pennsylvania	533 45
44,4[illegible]9.	R. M. Stiles, Warren County, Tennessee	100 00
44,420.	Jacob Stotler, Washington County, Maryland	135 00
44,794	Mary E. Story, Clinton County, Kentucky	60 00
44,757.	William Sudekum, Davidson County, Tennessee	100 00
45,277.	Abner Swayne, Pike County, Ohio	40 00
44,409.	Andrew J. Sweet, Clermont County, Ohio	260 00
45,617.	William Sheppard, Gallia County, Ohio	80 00
45,714.	John D. Scott, Hardeman County, Tennessee	36 75
45,785.	William Shinpaugh, Knox County, Tennessee	131 00
45,783.	Young E. Steele, Crittenden County, Kentucky	223 00
35,639.	Fielding W. Talbott, Clinton County, Kentucky; commissary stores, $15; quartermaster's stores, $9.67; total	24 67
44,567.	William S. Taylor, Pulaski County, Kentucky	47 00
44,488.	Edwin and Samuel Titus, Clermont County, Ohio	100 00
42,819.	John A. Thomson, Jefferson County, West Virginia	6,480 00
39,048.	John A. Thomson (supplemental), Jefferson County, West Virginia	9 00
45,252.	Samuel Tumbleson, Adams County, Ohio	70 00
39,555.	John C. Unseld, Washington County, Maryland	1,612 31
44,520.	James Wade, Knox County, Tennessee	79 00
44,457.	Delila G. Waggener, Cumberland County, Kentucky	32 00
44,422.	Bedford S. Walker, Morgan County, Missouri	210 00
44,568.	James B. Walker, Obion County, Tennessee	140 00
44,793.	Scott Walker, administrator of the estate of James L. Martin, deceased, late of Cumberland County, Kentucky	90 00
42,793.	Joseph Wallech, Washington County, Maryland	120 00
44,787.	Thomas J. Warfield, administrator of the estate of George W. Warfield, deceased, late of Howard County, Maryland	304 52
44,374.	William W. Waring, Jefferson County, Kentucky	145 20
45,410.	James West, Maury County, Tennessee	300 00
45,594.	Benjamin Whallon, Hamilton County, Ohio	135 00
44,520.	James Whallon, Hamilton County, Ohio	135 00
44,257.	John White, executor of the last will and testament of James White, deceased, late of Washington County, Tennessee	587 50
45,392.	John Wiers, Guernsey County, Ohio	100 00
44,017.	Susan Winston and Carolina Smith, Davidson County, Tennessee	716 08
44,423.	Charles S. Wood, Clermont County, Ohio	100 00
44,341.	Isaac Worstell, Clermont County, Ohio	32 00
45,645.	John Wright, Adams County, Ohio	235 00
44,182.	I. J. Wright, Casey County, Kentucky	29 00
30,922.	Stephen D. Wright, La Rue County, Kentucky	638 50
45,693.	George R. Wagerman, Clermont County, Ohio	100 00
42,294.	Helen Welcome, administratrix of the estate of John Welcome, deceased, late of Jefferson County, West Virginia	275 00
45,694.	Ezra Willey, Brown County, Ohio	100 00
45,595.	David Williamson, Hamilton County, Ohio	100 00
45,271.	William C. Woodard, Hocking County, Ohio	115 00
45,715.	Henry Watson, Franklin County, Tennessee	139 00
42,725.	John Yandle, Webster County, Missouri	70 00
45,109.	Frederick Yochum, Brown County, Ohio	70 00
44,489.	William H. Young, executor of the last will and testament of John Young (of P.), deceased, late of Frederick County, Maryland	433 00
45,701.	Rebecca Young, formerly Rebecca Minor, Knox County, Tennessee	102 50

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 32.

OPERATION OF THE UNION PACIFIC RAILROAD AND ITS BRANCHES.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

IN ANSWER TO

A resolution of the House of Representatives, transmitting a report by the Attorney-General of the United States upon the operation of the Union Pacific Railroad and its branches.

JANUARY 21, 1878.—Referred to the Committee on the Judiciary and ordered to be printed.

To the House of Representatives:

In answer to the resolution of the House of Representatives of November 27, 1877, I inclose a report made to me by the Attorney-General, the results of which seem to be correct, and which affords the information requested.

R. B. HAYES.

EXECUTIVE MANSION,
January 18, 1878.

DEPARTMENT OF JUSTICE,
Washington, January 14, 1878.

SIR: I have examined the resolution of the House of Representatives of November 27, 1877, which has been referred to me by you for a report.

This resolution is as follows:

Whereas Congress did provide in the act of July 1, 1862, being an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for postal, military, and other purposes," and also by the subsequent acts of July 2, 1864, March 3, 1869, and June 20, 1874, amendatory thereof, that said railroad and branches should be operated and used for all purposes of communication, travel, and transportation, so far as the public and government are concerned, as one connected, continuous line, without any discrimination of any kind in favor of the business of any or either of said companies, or adverse to the road or business of any or either of the others; and upon such basis and contract with the said railroad company and its branches did grant to the said Union Pacific Railroad Company and branch companies large subsidies in bonds and lands of the United States, all for the purpose of aiding in the construction of said roads, to be operated as aforesaid;

And whereas it is alleged the said Union Pacific Railroad Company and its branch companies, being the Kansas Pacific Company, the Denver Pacific Company, the Central Pacific of California, the Burlington and Missouri River Company, and the Sioux

City Branch, have heretofore neglected, and still do neglect and refuse, to operate their roads in accordance with said acts of Congress, but have heretofore operated and still do operate them in open violation of the same;

And whereas by reason of said alleged defaults, and on account of the same, it is alleged that the Government of the United States and the public have been and are still being damaged and deprived of their just and lawful rights and privileges as stipulated, defined, and agreed upon in said acts aforesaid: Therefore,

Be it resolved, That the President of the United States be, and he is hereby, requested to inform the House of Representatives what legal impediments, if any, exist which prevent him from executing said laws in accordance with the obligations accepted and agreements made by said Union Pacific Railroad Company and branches with the United States, as stipulated and agreed upon in the several acts aforesaid.

As the counsel for the Union Pacific Railroad Company and the Kansas Pacific Railroad Company, as well as the representatives of other railroads interested in the subject-matter of this resolution, desired to present their views thereon, I, in connection with the honorable Secretary of the Interior, have met and heard them.

The discussion of these gentlemen covered a wide range, embracing a consideration of questions as to the requirements of the acts of Congress in relation to the operation and use of the Union Pacific Railroad and its branches for all purposes of communication, travel, and transportation, and of the rights of the public and of other railroads therein; as to the rights and duties of the Union Pacific and branches, as between themselves, in relation to the operation and use of their respective roads; and as to whether the said several companies had complied and were now complying with the requirements of said acts of Congress in regard to the operation and use of said roads.

Upon the one hand, it was asserted by the Union Pacific Road that it had complied and intended to comply with all the requirements of law in relation to the operation and use of its road, whether it concerned the public or the other railroads connected with it. Upon the other hand, it was maintained that the Union Pacific Railroad had persistently and continually ignored the important requisitions of law in regard to the operation and use of its road, both as it concerned the Kansas Pacific Company and other companies connected with it and the public.

A full investigation of all these inquiries, and an expression of opinion thereon, would necessarily involve an examination judicial in its nature, in which evidence should be carefully and elaborately taken, and questions of law as to the true construction of the acts of Congress discussed in their proper relation to such evidence.

The subject of substantially all these inquiries has been presented in an amicable suit brought by the Kansas Pacific Railroad Company against the Union Pacific in the circuit court of the United States for the district of Nebraska, and has there been fully examined and discussed before the judges of that circuit, and now awaits a decision from them.

On the 29th of September, 1874, these two companies entered into a written agreement fixing a division of rates on certain business, and providing, among other things, that said agreement should not be in prejudice of the legal rights of either party, and that "the legal rights and status of the respective companies should be the subject of an amicable legal adjudication."

In pursuance of and subsequent to this agreement, on the 21st of January, 1875, a bill in equity was filed by the Kansas Pacific Company and the Denver Pacific Railway and Telegraph Company in the United States circuit court for the district of Nebraska, praying an injunction against the Union Pacific Company, restraining it from continuing its alleged discriminations. This suit was intended to present the substance of the whole

controversy, which is found in the fifteenth section of the act of July 2, 1864, amendatory of the act of July 1, 1862, which is as follows:

That the several companies authorized to construct the aforesaid roads are hereby required to operate and use said roads and telegraph, for all purposes of communication, travel, and transportation, so far as the public and the government are concerned, as one continuous line, and in such operation and use to afford and secure to each equal advantages and facilities, as to rates, time, and transportation, without any discrimination of any kind in favor of the road or business of either of said companies, or adverse to the road or the business of any or either of the others.

It does not seem that it was intended by the resolution that so wide a field of examination should be traversed as would necessarily be required in order properly to discuss the whole controversy, or that it was wished that any expression of opinion should be given by the Executive upon controverted questions of law and fact. The resolution asks only that the President inform the House "what legal impediments, if any, exist which prevent him from executing said laws" [referred to in the preamble of the resolution] "in accordance with the obligations accepted and agreements made by said Union Pacific Railroad Company and branches with the United States, as stipulated and agreed upon in the several acts aforesaid." It thus assumes that the allegations of the preamble are well sustained, and requests this information upon that assumption.

Upon an examination of the various acts regarding this subject, I do not find any specific authority vested in the President which enables him, in his executive capacity, to enforce such acts, or to oblige the Union Pacific Company to desist from an unlawful operation or use of its road, if it is engaged in such unlawful operation or use, or to compel an appropriate operation and use of such road. There is nothing that he is to do of an administrative character, nor is he empowered to ascertain whether or not the law has been violated by the Union Pacific Railroad, and to take executive action thereon. It is contemplated by the acts that the question whether the Union Pacific Company violates the obligations and duties which are imposed upon it, and the agreements it has made, is one for judicial determination, and that the law in relation thereto will be executed through the courts upon proper proceedings had therein. The President is charged with the execution of the laws in reference to the Union Pacific Company only in the same sense that he is charged with that duty as to all the laws of the United States. Whether duties of a different character can or should properly be imposed upon him in regard to these railroads, whether additional legislation should be had so that by means of proceedings other than judicial different remedies may be provided to restrain any violation or to enforce any obligations of law, are questions for the consideration of Congress.

The judicial remedies in terms provided by these acts are to be found in the act of April 10, 1869, section 4, by which it is enacted "that the Attorney-General be, and he is hereby, authorized and directed to investigate whether or not the charter and all the franchises of the Union Pacific Railroad Company and of the Central Pacific Railroad Company have not been forfeited, and to institute all necessary and proper legal proceedings," &c. In reference to this statute, it may be observed that it is contended that it is not prospective in its character and has relation only to proceedings which refer to matters occurring before the date of the act. The act of March 3, 1873, also provides in the last clause of the fourth section that "the proper circuit court of the United States shall have jurisdiction to hear and determine all cases to compel said Union Pacific Railroad Company to operate its road as required by law."

No explicit authority is given to the Attorney-General under this act to file such a petition on behalf of the public, and it is contended that without such authority he is not entitled to file such a petition as the representative of the public interest.

Without considering the weight of such objections, it may be said that, should it be deemed proper that legal proceedings should now be instituted on behalf of the public in the name of the Attorney-General, in order to determine whether or not the Union Pacific Railroad Company, or either of the companies connected with it, is operating its road in violation of law, it would seem desirable that some legislation should be had by which provision so explicit should be made that the discussion of such questions as those referred to would be unnecessary. In this connection, it is, perhaps, proper to say that before any such suit could be brought to trial in the ordinary course of judicial investigation, it may reasonably be expected that the questions in controversy in reference to connections and discriminating rates between the Union Pacific and the companies connected with it and its branches will be decided in the case referred to between the Kansas Pacific and the Union Pacific Companies. It is to be anticipated, however, that one party or the other will be dissatisfied with the judgment of the United States circuit court, notwithstanding the admitted ability of the judges who preside in it, and that it will be necessary to a final settlement of the disputed points that they shall be discussed in the Supreme Court of the United States.

Besides the legislation referred to, the act of June 20, 1874, provides for criminal proceedings upon a refusal by any officer or agent of the companies authorized to construct the Union Pacific, or its branches, to operate or use the road under his control, "so far as the public and the government are concerned, as one continuous line, or shall refuse in such operation and use to afford and secure to each of said roads equal advantages and facilities as to rates, time, or transportation, without any discrimination of any kind in favor of or adverse to the road or business of any or either of said companies."

Until the rights of the respective railroad companies are legally ascertained and determined it would not be advisable to attempt to have them defined through the medium of criminal proceedings, such as are contemplated by this statute, and it is not understood to be the wish of either company that such attempt should be made.

Very respectfully, your obedient servant,

CHARLES DEVENS,
Attorney-General.

To the PRESIDENT.

45TH CONGRESS, 2d Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 33.

LOCATION OF SOUTHERN PACIFIC AND TEXAS PACIFIC RAILROADS.

LETTER

FROM

THE SECRETARY OF WAR,

CONCERNING

The location of the Southern Pacific and Texas Pacific Railroads through Fort Yuma reservation and across the Colorado River.

JANUARY 21, 1878.—Referred to the Committee on the Pacific Railroad and ordered to be printed.

WAR DEPARTMENT,
Washington City, January 18, 1878.

SIR: I have the honor to transmit herewith, for the information of Congress, copy of correspondence concerning the location of the Southern Pacific Railroad and the Texas and Pacific Railroad through the United States military reservation at Fort Yuma, and across the Colorado River.

From these papers it will be seen that on the 18th October, 1876, the California and Arizona division of the Texas and Pacific Railroad was granted permission (by the military authorities in California) to break ground on the Fort Yuma reservation for the crossing of the Texas and Pacific Railroad over the Colorado River, and on November 27, 1876, this permission was revoked by General McDowell, commanding Military Division of the Pacific, until the decision of the War Department was received.

On the 11th of April, 1877, the Southern Pacific Railroad was granted permission, by the Secretary of War, to carry their road provisionally through a corner of the Fort Yuma reservation (see telegram of the General of the Army to General McDowell, dated April 11, 1877, and of General Kelton, assistant adjutant-general, to commanding officer at Fort Yuma, dated San Francisco, April 13, 1877).

A map of the final location of the Southern Pacific Railroad across the reserve having been filed, and their application having received the favorable recommendation of the military authorities, the Secretary of War granted "permission to the Southern Pacific Railroad to build their road across the Fort Yuma military reservation as requested, subject to condition that the company shall apply to Congress for a grant of the right of way over said reservation; and if the right of way is refused, or not granted by Congress at its next session, the company must remove its track from the reservation and abandon the road."

A like permission was also granted to the Texas Pacific Railroad Company (see telegram of the Adjutant-General to General McDowell, dated dated August 22, 1877).

The Texas Pacific Railroad Company having protested against this grant, as being injurious to their interests, in view of the revocation in November, 1876, of a similar permission granted them in October, 1876, above referred to, which fact was overlooked by the department when the above grant was made, the Secretary of War, on September 1, 1877, suspended "all authority granted either the Southern Pacific Railroad Company or the Texas Pacific Railroad Company to build a railroad across any portion of Fort Yuma military reservation, until both said companies can be fully heard, or until Congress shall have determined the controversy."

This order was so far modified on the 6th September, 1877, as "to permit the Southern Pacific Railroad Company to continue work within the limits of Fort Yuma reservation only to thee xtent of staying waste or injury to their property, and opening the way to the passage of steamboats."

Under this modification it will be seen that the Southern Pacific Railroad Company proceeded with their work until they had laid a track across the bridge and were running trains carrying passengers, notwithstanding the commanding officer at Fort Yuma ordered them to cease work when the bridge was secured against injury. The department then ordered the running of trains across the reservation to be stopped until Congress had decided the controversy.

This action gave rise to numerous complaints from citizens of Southern California and Arizona, and finally, it appearing that the mails were delayed, and business greatly deranged, the President, on the 9th October, 1877, authorized the Southern Pacific Railroad Company to cross trains over the bridge at Fort Yuma.

Thus the case stands at present.

The whole matter is now submitted to Congress in order that the questions at issue may be finally settled.

I am, sir, very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The SPEAKER *of the House of Representatives.*

FORT YUMA, CAL., *October* 25, 1876.

SIR: I have the honor to state that on the 18th instant, Col. J. W. Crawford, chief engineer of the California and Arizona division of the Texas and Pacific Railroad, applied to me for permission to break ground on this reservation for a crossing of that road over the Colorado River.

I found, upon inspection that the proposed work would not interfere with any roadways or buildings, nor affect the immediate interests of the post in any way, and so granted his request, subject to the revision of higher authority.

Very respectfully, your obedient servant,

THOS. S. DUNN,
Major Eighth Infantry, Commanding Post.

The ASSISTANT ADJUTANT-GENERAL
Department of Arizona, Prescott.

[Indorsements.]

HEADQUARTERS DEPARTMENT OF ARIZONA,
Prescott, November 2, 1876.

Respectfully forwarded to the Adjutant-General of the Army, (through headquarters Military Division of the Pacific and Department of California.)

The action of Major Dunn is approved.

AUGUST V. KAUTZ,
Colonel Eighth Infantry, Brevet Major-General,
Commanding Department.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC AND DEPARTMENT OF CALIFORNIA,
San Francisco, November 14, 1876.

Respectfully forwarded to the Adjutant-General of the Army, recommending approval.

In temporary absence of the division commander:

SAML. BRECK,
Assistant Adjutant-General.

HEADQUARTERS OF THE ARMY,
Washington, November 24, 1876.

Respectfully submitted to the Secretary of War, inviting attention to preceding indorsements and to section 8 of the act of Congress approved March 3, 1871 (16 Stats., 576), granting "right of way through the public lands" to the Texas and Pacific Railroad Company; also to the general act approved March 3, 1875 (Stats. 1874–75, 482–3), granting to railroads the right of way through the public lands of the United States, especially to the provision in section 5 of said act relating to military reservations.

The rule has been to require the express sanction of Congress prior to granting privileges of this character.

It is further remarked that there is no map or plan with this paper showing the location or extent of the proposed work on the Fort Yuma military reservation. Still I approve the action of the officers, as this railroad is an absolute necessity to Fort Yuma.

W. T. SHERMAN,
General.

Respectfully referred to the Judge-Advocate-General for report* as to whether this right can be granted, and upon what conditions. Should not a regular survey be made, &c.?

By order of the Secretary of War.

H. T. CROSBY,
Chief Clerk.

NOVEMBER 28, 1876.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC, AND DEPARTMENT OF CALIFORNIA,
November 25, 1876.

SIR: My staff-officer at division headquarters, San Francisco, has forwarded to you a report from the commanding officer of Fort Yuma,

*No report from Judge-Advocate-General under this indorsement is found with these papers.

of October 18, that the chief engineer of the California and Arizona Railroad Company had applied for permission to break ground on the Yuma reservation for a crossing of that road over the Colorado River, and that he had, subject to revision of proper authorities, granted his request. This action of the post commander has been approved by the department commander, and forwarded to you approved.

I write now to qualify this approval, or to ask delay in the case till it can be known whether this California and Arizona Road is, or not, a connection or continuation of the Southern Pacific Road.

The banks of the Colorado at Yuma are such as to afford the best and the only good crossing of the river for a long distance up and down from the post, the river curiously making its way at that point, with diminished width between rocky banks of very limited extent on either side.

The General of the Army and the Secretary of War know that the Southern Pacific Road is built and running so near to Yuma, that it is expected it will reach there in a few weeks, with the intention of being carried beyond there into Arizona.

It is, therefore, important not to grant rights or privileges to another company till the Southern Pacific can know what is intended and have an opportunity to be heard. I will inquire and inform you immediately.

Very respectfully, your most obedient servant,

IRVIN McDOWELL,
Major-General, Commanding Division and Department.

The ADJUTANT-GENERAL OF THE ARMY,
Washington, D. C.

[Indorsements.]

HEADQUARTERS OF THE ARMY,
Washington, November 27, 1876.

Respectfully submitted to the Secretary of War, in connection with previous papers on the subject submitted on the 24th instant.

W. T. SHERMAN,
General.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
AND DEPARTMENT OF CALIFORNIA,
New York, November 26, 1876.

SIR: I inclose copy of telegram from my aid-de-camp, at San Francisco, reporting that the privilege granted the California and Arizona Railroad Company at Fort Yuma was without the knowledge of the Southern Pacific Road. I also inclose a copy of my orders, by telegraph, in the case. Please have these papers submitted with my letter of yesterday. I will now only add that I have acted on the supposition—

First. That the United States does not designedly act in favor of one company to the hurt of another.

Second. That the crossing of the Colorado at Fort Yuma is such that there may be at the most favorable point, only room for one railroad bridge.

Third. That the Southern Pacific Railroad Company is a real substantial organization, with command of capital to carry out their intention of immediately completing their road to and across the Colorado at Yuma, near to which they now have continuous line of rail from San Francisco.

Fourth. That therefore, before any final action should be had in the premises, this road should be notified and heard, and given an equal chance at the Yuma military reservation with any other road.

Colonel Ingalls is now under orders and I believe on his way to Fort Yuma. If I can reach him by telegraph, I will have him examine into the question on the spot.

Very respectfully, sir, your most obedient servant,

IRVIN McDOWELL,
Major-General, Commanding Division.

The ADJUTANT-GENERAL OF THE ARMY,
Washington, D. C.

[Inclosures.]

[Telegram.]

SAN FRANCISCO, CAL., *November* 25, 1876.

To General McDOWELL,
10 *West Ninth street, New York:*

The Southern Pacific know nothing of the privilege granted at Yuma to the California and Arizona Road. They urgently request a like privilege.

KEELER,
Aid-de-Camp.

[Telegram.]

NEW YORK, *November* 26, 1876.

ASSISTANT ADJUTANT-GENERAL,
Division Pacific, San Francisco, Cal.:

Telegraph commander Department of Arizona and post commander of Fort Yuma that their act granting privileges to California and Arizona Railroad at Yuma in advance of sanction of War Department is disapproved by me. They will immediately cause absolute suspension of all operations till decision of War Department shall be made known. Have them telegraph receipt of this order, and report receipt.

Inform Southern Pacific Road of the above order.

Where is Ingalls?

McDOWELL.

Official:

IRVIN McDOWELL,
Major-General.

[Indorsements.]

HEADQUARTERS OF THE ARMY,
Washington, November 28, 1876.

Respectfully submitted to the Secretary of War, in connection with papers submitted on the 24th and 27th instant.

W. T. SHERMAN,
General.

WASHINGTON, D. C., *December* 2, 1876.

This paper having been shown me by the chief clerk of the War Department, I wish to add that I have acted on the supposition that the privileges granted by the post and department commanders were in favor of what was reported to me by telegraph as the Arizona and Cali-

fornia Railroad, and I did not know that it was any part of the Texas Pacific Road—which has certain rights granted it by law—and I only desired to stop any operations which depended on the approval of officers who have no power to act in the premises.

IRVIN McDOWELL,
Major-General.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC
AND DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., April 10, 1877.

To General W. T. SHERMAN,
Washington, D. C.:

Southern Pacific Railroad are about reaching Yuma. They ask the sanction of the War Department to their crossing, provisionally, a corner of the military reservation to reach the river. They will make formal application for permission to carry their road through the reservation as soon as they can determine where the permanent line should be located.

I recommend their request be granted. Please telegraph answer.

McDOWELL,
Major-General.

[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES.
Washington, D. C., April 11, 1877.

To General I. McDOWELL,
Commanding Military Division of the Pacific, San Francisco:

Your dispatch asking permission for the Southern Pacific Railroad to carry their road through the Fort Yuma reservation is received, and has been submitted to the Secretary of War, who approves the same, and when the formal application comes for the permanent location, it shall receive the most favorable consideration consistent with existing statutes.

W. T. SHERMAN,
General.

SAN FRANCISCO, *July* 25, 1877.

DEAR GENERAL: I have the honor herewith to hand you a map showing the final location of the Southern Pacific Railroad through the military reservation at Fort Yuma and across the Colorado River.

We respectfully ask the favorable consideration and consent of yourself and the War Department to the location as shown upon the map.

Very respectfully,

CHARLES CROCKER,
President of Southern Pacific Railroad Company.

General McDOWELL,
Commanding Department Pacific.


MAP
Showing the location of the
SOUTHERN PACIFIC RAIL ROAD
Across the Fort Yuma Reserve
And also
THE CROSSING OF THE COLORADO RIVER
At Yuma
Scale 200 Feet per Inch
West Boundary of Fort Reservation
S 75° 11' 30" E True Bearing
True Meridian
Wagon Road up Colorado River
Wagon Road to Jeager's Ferry
Slough
Slough
OLD CHANNEL OF COLORADO RIVER
Colorado River
LOW SAND BAR Subject to Over flow
Slough
Gila River
FORMER BED OF GILA RIVER
Fort Hill
Cemetery
Corral
Spur Track for purposes of Military Post
Repair Shop
LOUIS J. F. JAGER'S
Residence
Shed
Colorado River
Supposed Site of Monument (S.W. Cor. of Fort Reservation)
U.S. Military Reservation
QUARTERMASTER'S DEPARTMENT
Claim of I. Polhemus
Residence
Repair Shop
Harness Shop
Corral (walled)
Office
Engine Ho
Flag Staff
Tank
Residence
Lodge
Guard Ho
Cook Ho
Old Monument
Colorado Steam Nav. Co.
Ferry Pole
San Diego Stage Road
Wagon Road from Sonora
Former Boundary betw. Mexico and California
T 16 S, R 22 E S.B.B.&M.
T 8 S, R 23 W G.&S.R.B.&M.
WATER ST.
COLORADO
FIRST
SECOND
THIRD
FOURTH
FIFTH
SIXTH
SEVENTH
EIGHTH
NINTH
TENTH
ELEVENTH
TWELFTH
THIRTEENTH
FOURTEENTH
FIFTEENTH
SIXTEENTH
SEVENTEENTH
EIGHTEENTH
AV.
ST.
JONES
PENITENTIARY AV.
PRISON AV.
RINCON ST.
MADISON
MAIN
LANE
MAIDEN
GILA
DOTEN ST.
22 23 27 26
26 25 35 36
35 36
21 22
27 26 34 35
34 35
20 21
I certify this map to be a true copy of the line of the Southern Pacific Rail Road, where it crosses the Fort Yuma Reserve.
(Sd) George E. Gray
Office of the Southern Pacific Railroad Company
San Francisco, Cal.
It is hereby certified that George E. Gray is the chief engineer of the Southern Pacific Railroad Company, and that the location of the road, as represented on this map, is correct and approved by the company.
(Sd) Charles Crocker
President of the Southern Pacific Railroad Company
Attest (Sd) Joseph L Willcutt
Secretary of the Southern Pacific Railroad Company

[Indorsements.]

HEADQUARTERS MILITARY DIVISION PACIFIC,
AND DEPARTMENT CALIFORNIA,
San Francisco, July 26, 1877.

Respectfully forwarded to the Adjutant-General, recommending the route of the Southern Pacific Railroad across the reservation at Fort Yuma, California, as located by the president of the road.

Copy of correspondence in respect thereto is inclosed herewith.

IRVIN McDOWELL,
Major-General, Commanding Division and Dapartment.

ADJUTANT-GENERAL'S OFFICE,
Washington, August 10, 1877.

Respectfully submitted to the Secretary of War, to whom the previous papers in the case were sent, November 24th, 27th, and 28th, 1876, and inviting attention to General Sherman's dispatch of April 11, 1877, to General McDowell (copy herewith), also to indorsement of the latter hereon.

E. D. TOWNSEND,
Adjutant-General.

OFFICE OF THE SOUTHERN PACIFIC RAILROAD,
Corner of Fourth and Townsend streets, President's Department,
San Francisco, April 11, 1877.

DEAR SIR: I am in receipt of a copy of your telegram, under date the 10th instant, to General W. T. Sherman, with your recommendation that the Southern Pacific Railroad Company have permission to provisionally occupy a corner of the military reservation at Fort Yuma. Please accept my thanks for the same.

Very respectfully, yours,

CHARLES CROCKER,
President.

Major-Gen. McDOWELL,
Commander Division of the Pacific,
Headquarters Military Division, &c., San Francisco, Cal.

HEADQUARTERS MILITARY DIVISION PACIFIC
AND DEPARTMENT OF CALIFORNIA,
San Francisco, April 12, 1877.

DEAR SIR: I have the honor to inclose herewith a copy of a dispatch, just received by telegram, from the General of the Army, and to acquaint you that orders have been given in accordance therewith to the proper military commanders.

I am, &c.,

IRVIN McDOWELL,
Major-General.

Mr. CHARLES CROCKER,
President Southern Pacific Railroad Company,
San Francisco, Cal.

[Telegram.—Western Union line.]

HEADQUARTERS MILITARY DIVISION PACIFIC
AND DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., April 13, 1877.

COMMANDING OFFICER,
Fort Yuma, California:

Permission for the Southern Pacific Railroad to carry their road provisionally through a corner of the Fort Yuma reservation has been granted by the Secretary of War, who reserves for his future consideration the permanent location of the road on the reservation.

KELTON,
Assistant Adjutant-General.

OFFICE OF THE SOUTHERN PACIFIC RAILROAD,
Corner Fourth and Townsend streets, President's Department,
San Francisco, April 13, 1877.

DEAR GENERAL: I am in receipt of your favor of the 12th instant, inclosing the dispatch from General W. T. Sherman, granting our application for right of way through the Fort Yuma military reservation, for all which you will please accept my sincere thanks.

Very respectfully yours,

CHARLES CROCKER,
President Southern Pacific Railroad Company.

Major-Gen. IRVIN MCDOWELL,
Commanding Military Division Pacific,
San Francisco, California.

OFFICE OF THE SOUTHERN PACIFIC RAILROAD,
Corner Fourth and Townsend Streets, President's Department,
San Francisco, May 10, 1877.

DEAR SIR: I have the honor to return the application of Mr. T. M. Loop, accompanied with a map showing the temporary depot of the Southern Pacific Railroad on the bank of the Colorado River near Fort Yuma, and on the military reservation.

Very respectfully, yours,

CHAS. CROCKER,
President.

Major General MCDOWELL,
Commanding Military Division Pacific, San Francisco, Cal.

HEADQUARTERS MILITARY DIVISION PACIFIC,
AND DEPARTMENT OF CALIFORNIA,
San Francisco, May 11, 1877.

SIR: I am directed by the division commander to acknowledge the receipt of your letter of the 10th instant, accompanied by a map, stating that you had located the temporary depot of the Southern Pacific

Road on the Colorado, on the Fort Yuma reservation. The map shows the depot to be near Jaegers.

The division commander does not find that you are authorized, by any communication he has received from the War Department—alone authorized to grant such permission—to occupy the ground as proposed. He will, with pleasure, forward an application to the War Department, if you wish it, asking the necessary authority to place your temporary depot on the reservation.

Very respectfully, you obedient servant,

J. C. KELTON,
Lieutenant-Colonel, Assistant Adjutant-General.

PRESIDENT OF THE SOUTHERN PACIFIC RAILROAD,
San Francisco, Cal.

OFFICE OF THE SOUTHERN PACIFIC RAILROAD,
Corner Fourth and Townsend Streets, President's Department,
San Francisco, May 15, 1877.

DEAR GENERAL: I have the honor to acknowledge the receipt of your communication of the 11th instant, stating that you do not find that we are authorized by any communication you have received from the War Department to occupy the ground as proposed for a temporary depot. I had supposed that the former authorization permitted us to connect with the river, and as the temporary depot will be merely a shed to transfer goods through to the river boats, and supposed that the former authority was sufficient for that also. Having now decided where we will cross the river, I will have a map prepared showing our permanent line and also the temporary depot, and will avail myself of your kind offer to forward the same to the War Department.

Very respectfully, yours,

CHAS. CROCKER,
President.

Major-General MCDOWELL,
Commanding Department of the Pacific,
Military Headquarters, Stockton Street,
San Francisco, Cal.

OFFICE OF THE SOUTHERN PACIFIC RAILROAD,
Corner Fourth and Townsend Streets, President's Department,
San Francisco, July 7, 1877.

DEAR GENERAL: Upon my return home yesterday, I found the inclosed letter from Major Dunn, commanding the post at Fort Yuma, and which was referred to me by your order, "for any information on the subject I might be disposed to give." I have to report in this connection that I expect in a few days to furnish you a map showing the final location of the road across the military reservation at Fort Yuma, and also the location of the bridge.

Very respectfully, yours,

CHAS. CROCKER,
President Southern Pacific Railroad Company.

Major-General MCDOWELL,
Commanding Military Division Pacific, &c.,
San Francisco, Cal.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
AND DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., August 21, 1877.

[Telegram.—Atlantic and Pacific line.]

ADJUTANT-GENERAL UNITED STATES ARMY,
Washington, D. C.:

Ex-Governor Brown, of Tennessee, vice-president of the Texas Pacific Railroad, represents that injustice has been, and is still, done by my action forbidding his company to break ground on the military reservation at Fort Yuma and to bridge the Colorado at that place.

This injustice consists in the fact that at a subsequent time, under the authority given the Southern Pacific Railroad to cross *temporarily* a portion of that reservation, that company is now carrying on their *permanent line*, and is actually building its permanent bridge over the Colorado, without waiting for the authority of the War Department.

The governor thinks that his company should be put on the same footing as the rival road, and that both or neither be allowed a permanent way, or suffered to construct a bridge on the reservation.

I think his claim is just, and recommend that either he be allowed to bridge the river, as the other road is now doing, or that the work of the other road be stopped till the department or Congress take action in the premises.

McDOWELL, *Major-General.*

[Telegram.]

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, August 22, 1877.

Major-General McDOWELL,
Commanding Division Pacific, San Francisco:

Map and dispatch received. Secretary of War grants permission to Southern Pacific Railroad Company to build their road across the Fort Yuma military reservation, as requested, subject to condition that the company shall apply to Congress for a grant of the right of way over said reservation; and if right of way is refused or not granted by Congress at its next session, the company must remove from the reservation and abandon the road.

This is a mere permission, and grants no rights or interests contrary to those of the United States.

The Secretary also grants, in same terms, a like permission to the Texas Pacific Railroad Company.

Acknowledge receipt.

E. D. TOWNSEND,
Adjutant-General.

[Telegram Atlantic and Pacific line.]

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
AND DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., August 23, 1877.

ADJUTANT-GENERAL, *United States Army,*
Washington, D. C.:

Your telegram granting permission to Southern Pacific and Texas Pacific Railroad Companies to build their roads across Yuma reservation received.

McDOWELL, *Major-General.*

EXECUTIVE OFFICE,
TEXAS AND PACIFIC RAILWAY COMPANY,
275 *South Fourth Street, Philadelphia, Pa., August* 23, 1877.

SIR: On behalf of the Texas and Pacific Railway Company, I have the honor, respectfully, to call the attention of the War Department to the following statement of facts:

The Texas and Pacific Railway Company, by an act of Congress approved March 3, 1871, was authorized to construct a railroad from its eastern terminus in Texas, via El Paso, through New Mexico and Arizona, to a point on the Colorado River at or near the southeastern boundary of the State of California, and thence by the most practicable route to San Diego, Cal., confining itself, as nearly as practicable, to the 32d parallel of north latitude; and by the act named it became vested with all the powers, privileges, and immunities necessary to carry into effect the purposes of the act.

The work of construction was commenced in California and elsewhere pursuant to the terms of the act, and was prosecuted until the suspension of the work occasioned by the failure or suspension of the contractors, in November, 1873.

The work was again resumed in California, and in November last our men were employed in putting in the foundations upon both sides of the river at Fort Yuma, for a crossing of the Colorado River, when they were stopped by the military authorities, on the 28th of November, by the following telegraphic order served upon our engineer in charge:

YUMA, *November* 28, 1876--9.25 a. m.

To Col. J. U. CRAWFORD,
Engineer Texas and Pacific Railroad:

At seven this morning Major Earnest handed me letter, as follows:

"FORT YUMA, CALIFORNIA, *November* 27, 1876.

"To Col. J. U. CRAWFORD,
"*Chief Engineer California and Arizona Division,*
"*Texas and Pacific Railroad, San Diego, Cal.:*

"SIR: I am directed by the commanding officer to inform you that the permission given October 18, 1876, to break ground on this reservation for a crossing of the Texas and Pacific Railroad over the Colorado River at this point has been revoked by telegraphic instructions of this date from the commanding general of the Division of the Pacific, until the decision of the War Department is *decision* (?). You will therefore suspend all operations under that permission within the limits of this military reservation until further notice from this office.

"Very respectfully, your obedient servant,

"C. A. EARNEST,
"*First Lieutenant Eighth Infantry, Post-Adjutant.*

"Official copy respectfully furnished Mr. Reynolds, foreman of construction Texas and Pacific Railroad, Yuma, Ariz., for his information and guidance.

"C. A. EARNEST,
"*First Lieutenant Eighth Infantry, Post-Adjutant.*
"FORT YUMA, *November* 27, 1876."

Pursuant to this notice, Mr. Reynolds ceased work on the west side and transferred his force to the east side of the river.

Since the receipt of these orders no decision of the War Department has been reported to this company; but we are now advised that the Southern Pacific Railroad Company (of California) are driving piles for a bridge over the Colorado River, and are grading through Yuma on the Arizona side, and that they have laid their tracks across the military reservation on the west side of the river where we were stopped from working.

I would respectfully call the attention of the department to the fact that the Southern Pacific Railroad Company (of California) have no chartered right to bridge the Colorado River at all; and would respectfully represent that the military authorities, in stopping the Texas and Pacific Railway Company, that had been specially authorized by Congress to construct a road across the river, from constructing its bridge, and permitting another company, not authorized by the United States, to extend its line across the Colorado and into Arizona—to bridge the river—did injustice to this company. And we respectfully request that the War Department will direct the immediate suspension of the work by the Southern Pacific Railroad Company until Congress shall convene and take such action as it shall think proper in the premises, after a full investigation of the relative rights of the two corporations.

I have the honor to be, with great respect, your obedient servant,

FRANK S. BOND,
Vice-President.

To the Hon. GEORGE W. MCCRARY,
Secretary of War.

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, August 24, 1877.

Respectfully returned to the Secretary of War, with previous papers and copy of telegram of August 22, 1877, to Major General McDowell, showing action by the department in the case.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 25, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of August 23d, relative to the crossing of the Colorado River and Yuma reservation by the Southern Pacific Railroad Company, and to inclose herewith copy of telegram to General McDowell, dated August 22, upon the subject; from which it will be seen that the Texas Pacific Company is granted the same privilege as the Southern Pacific Railroad Company.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

HON. FRANK S. BOND,
Vice-President Texas and Pacific Railroad Company,
Philadelphia, Pa.

EXECUTIVE OFFICE,
TEXAS AND PACIFIC RAILWAY COMPANY,
275 *South Fourth Street, Philadelphia, Pa., August* 25, 1877.

SIR: On the 23d instant, on behalf of the Texas and Pacific Railway Company, I had the honor to address to you a communication touching the right of the Southern Pacific Railroad Company (of California) to construct a bridge across the Colorado River at or near Fort Yuma,

respectfully protesting that it had no legal authority from the United States to bridge the river, and asking that the order issued on the 27th of November last, stopping work by the Texas and Racific Railway Company, should be extended to the Southern Pacific Railroad Company, and that neither company be permitted to bridge the river until after Congress at its next session shall have decided as to the relative rights of the two corporations.

As the Texas and Pacific Railway Company has, since November 27, 1876, been prevented by orders from the War Department from prosecuting the work they were then engaged upon in bridging the river, we feel that it would be a great injustice now for the department to grant to another company the rights it had been denied, although the restrictions against our further prosecution of the work should be removed, for, at the time the order for discontinuance was issued, the Southern Pacific Railroad Company's line was not completed to within upwards of one hundred miles of the river.

As Congress will be called upon to take some definite action with reference to the rights of the two corporations, both to bridge the river and to extend their lines of road into and through Arizona, it is respectfully represented that no material injury can occur to the Southern Pacific Company that has not already been suffered by the Texas and Pacific Company, on account of a stoppage of work until the next session of Congress, which is called to meet on the 15th of October.

In this contest between two corporations for certain franchises and privileges, it is respectfully urged that the War Department should not take any part, as it would apparently be doing if it should now, on the request of the Southern Pacific Railroad Company, revoke an order of the department to the Texas and Pacific Railway Company that has been in force nearly nine months, and that it has refused to revoke on request of the Texas and Pacific Company.

Yours, very respectfully,

FRANK S. BOND,
Vice-President.

To the Hon. GEO. W. MCCRARY,
Secretary of War, Washington, D. C.

[Indorsements.]

WAR DEPARTMENT, *August* 27, 1877.

Respectfully referred to the Judge-Advocate General of the Army for report. He will please examine the statutes and advise me of his views at his earliest convenience.

GEO. W. MCCRARY,
Secretary of War.

BUREAU OF MILITARY JUSTICE,
August 29, 1877.

Respectfully returned to the Secretary of War, with expression of opinion that as in neither of the charters to the contesting railway companies is there to be found any authority to enter upon and occupy any portion of a military reservation, the Secretary of War is without power to confer such a right, and should interfere to prevent its exercise.

The right of way is granted through the public lands, it is true; but military reservations are withdrawn from the body of such lands. The right which has been sought to be exercised by each of the railway companies is not of such a character that it can be inferred to have been

created by the general and usual grant of all powers, privileges, and immunities necessary to give the acts of incorporation effect. It must, it is held, arise from a specific provision of law; and is a question solely for the determination of the legislative power.

It is recommended that an order be issued forbidding any further work to be performed by either company on the military reservation at Fort Yuma until Congress, if it should so determine, shall take action in the premises.

W. M. DUNN,
Judge-Advocate General.

WAR DEPARTMENT, *September* 1, 1877.

All authority heretofore granted to either the Southern Pacific Railroad Company or the Texas Pacific Railroad Company, to build a railroad across any portion of Fort Yuma military reservation is hereby suspended until both said companies can be fully heard, or until Congress shall have determined the controversy.

No further hearing will be granted to either of said companies, except upon notice to the other. As the matters in dispute must in any event be decided by Congress, whatever the action of the department, and as Congress will assemble on the 15th of October next, it is suggested that further action be referred to that body. In the mean time all work upon the reservation must cease.

GEO. W. McCRARY,
Secretary of War.

The Secretary of War desires the Adjutant-General to telegraph the above to General McDowell for the information of all concerned.

H. T. CROSBY,
Chief Clerk.

WAR DEPARTMENT,
Washington City, September 1, 1877.

SIR: In reply to your letter of the 25th of August last, in reference to the crossing of the Fort Yuma reservation and the bridging of the Colorado River by the Texas and Pacific Railroad, as well as by the Southern Pacific Railroad Company, I beg to inclose herewith a copy of an order just issued, from which you will see that the operations of both companies crossing the river and upon the reservation are suspended until Congress shall determine the question in controversy between them.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Maj. FRANK S. BOND,
Vice-President Texas and Pacific Railway,
275 South Fourth Street, Philadelphia, Pa.

[Telegram.]

ADJUTANT GENERAL'S OFFICE,
Washington, September 2, 1877.

Maj. Gen. IRVIN McDOWELL,
Commanding Military Division of the Pacific, San Francisco, Cal.:

The Secretary of War directs me to send you the following:

All authority heretofore granted to either the Southern Pacific Railroad Company or the Texas Pacific Railroad Company to build a railroad across any portion of Fort

Yuma military reservation is hereby suspended until both said companies can be fully heard, or until Congress shall have determined the controversy.

No further hearing will be granted to either of said companies except upon notice to the other.

As the matters in dispute must in any event be decided by Congress, whatever the action of the department, and as Congress will assemble on the 15th of October next, is suggested that further action be referred to that body.

In the mean time all work upon the reservation must cease.

E. D. TOWNSEND,
Adjutant-General.

[Telegram Western Union line.]

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
AND DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., September 2, 1877.

ADJUTANT-GENERAL, *Washington, D. C.:*

Your dispatch to-day as to railroad companies at Yuma reservation received. Orders will be given accordingly.

McDOWELL,
Major-General.

[Telegram, Atlantic and Pacific line.]

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
AND DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., September 5, 1877.

ADJUTANT-GENERAL,
Washington, D. C.:

The Southern Pacific Railroad beg me to represent to the Secretary of War that, under the authority given August 22, they proceeded with the construction of their bridge across the Colorado to such a point as to have laid their stringers across the place for the draw, and they ask authority to continue their work only to the extent to stay waste of their property, and open the way for the passage of steamboats.

McDOWELL,
Major-General.

[Telegram.]

WAR DEPARTMENT,
Washington City, September 6, 1877.

To General IRVIN McDOWELL,
San Francisco, Cal.:

Your dispatch of yesterday received and submitted to the President.

You are authorized to permit the Southern Pacific Railroad Company to continue work within the limits of Fort Yuma reservation only to the extent of staying waste or injury to their property and opening the way for the passage of steamboats, subject to the condition that said company shall apply to Congress for a grant of the right of way over the said reservation, and if the right of way is not granted by Congress at its next session, the company must remove its track from the reservation.

This is a mere permission and grants no rights or interests contrary to those of the United States.

GEO. W. McCRARY,
Secretary of War.

[Telegram.]

HEADQUARTERS MILITARY DIVISION PACIFIC
AND DEPARTMENT OF CALIFORNIA,
San Francisco, September 7, 1877.

COMMANDING OFFICER,
Fort Yuma, California:

The following telegram, dated September 6, received from Secretary of War:

You are authorized to permit the Southern Pacific Railroad Company to continue work within the limits of Fort Yuma reservation only to the extent of staying waste or injury to their property, or opening the way for the passage of steamboats.

You will be governed accordingly.

KELTON,
Assistant Adjutant-General.

HEADQUARTERS MILITARY DIVISION PACIFIC
AND DEPARTMENT OF CALIFORNIA,
San Francisco, September 7, 1877.

SIR: By direction of the division commander, I inclose herewith a copy of a telegram from the Secretary of War, of the 6th instant, authorizing the general commanding to permit you to continue work within the limits of the Fort Yuma reservation only to the extent of staying waste or injury to your property or opening the way for the passage of steamboats. This, subject to certain conditions specified. Please acknowledge receipt and say if the permit is accepted subject to the conditions imposed.

Very respectfully, your obedient servant,

J. C. KELTON,
Lieutenant-Colonel, Assistant Adjutant-General.

The PRESIDENT SOUTHERN PACIFIC RAILROAD CO.,
San Francisco, Cal.

SAN FRANCISCO, CAL.,
September 8, 1877.

DEAR SIR: I am in receipt of yours of yesterday inclosing the order from the Secretary of War permitting us to continue work within the limits of the Fort Yuma reservation, subject to certain conditions specified in the order, which we accept subject to the conditions imposed.

Very respectfully, yours,

CHARLES CROCKER,
President Southern Pacific Railroad Company.

J. C. KELTON,
Lieutenant-Colonel, Assistant Adjutant General,
Headquarters Military Division of the Pacific, &c.,
San Francisco Cal.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE
PACIFIC AND DEPARTMENT OF CALIFORNIA,
San Francisco, September 10, 1877.

COMMANDING OFFICER,
Fort Yuma, California:

If you have received copy of telegram from the Secretary of War, dated September 6, authorizing the Southern Pacific Railroad Company to proceed with work on reservation so far as to stay waste and open bridge-draw, please acknowledge and report action taken by you and by the company, if any. Write fully and at once just what the company have done and what they propose to do under these last instructions.

KELTON,
Assistant Adjutant-General.

FORT YUMA, CALIFORNIA,
September 10, 1877.

COLONEL: I have the honor to acknowledge the receipt of your telegram of this date. In reply I beg most respectfully to report that your telegram of the 7th instant was duly received, transmitting telegraphic instructions from the Secretary of War regarding the Southern Pacific Railroad Company. I served an order embracing the instructions on their superintendent of construction, on the agent of the company at Yuma, and also on their attorney. Work has been stopped on the bridge, excepting to the extent allowed.

The company is running its cars over their temporary track across the corner of the reservation to Colorado Station (Yaegers).

Very respectfully, your obedient servant,

THOMAS S. DUNN,
Major Twelfth Infantry, Commanding Post.

Col. J. C. KELTON,
Assistant Adjutant-General Military Division of the Pacific,
San Francisco, Cal.

[Telegram.]

FORT YUMA, CALIFORNIA,
September 10, 1877.

J. C. KELTON,
Assistant Adjutant-General Military Division of the Pacific,
San Francisco, Cal.

The superintendent of construction informs me that it will be necessary to complete the north pier and span to secure the work on bridge already done. Shall I allow them to go ahead?

THOMAS S. DUNN,
Commanding Post.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE
PACIFIC AND DEPARTMENT OF CALIFORNIA,
San Francisco, September 13, 1877.

COMMANDING OFFICER,
Fort Yuma, California:

The question is not what work the superintendent of construction thinks necessary to do within the limits of the Yuma reservation to prevent injury to the Southern Pacific Railroad bridge at Yuma, but what you, the commanding officer, think necessary. Please report. If in doubt, inform the division commander.

KELTON,
Assistant Adjutant-General.

FORT YUMA, CALIFORNIA,
September 14, 1877.

COLONEL: After having investigated the condition of the work done by the Southern Pacific Railroad Company on the bridge, I am satisfied that it is necessary to finish the bridge as far as braces and stays are concerned. I shall then stop the work and not permit them to lay track or timbers therefor, or finish the grade to the north pier.

Very respectfully, your obedient servant,

THOS. S. DUNN,
Major Twelfth Infantry, Commanding Post.

Col. J. C. KELTON,
Assistant Adjutant-General, Military Division Pacific,
San Francisco, Cal.

FORT YUMA, CALIFORNIA,
September 18, 1877.

SIR: I have the honor to report to the Secretary of War, through the general commanding the Military Division of the Pacific, that under orders received by telegraph September 3 (7), 1877, all work by the Southern Pacific Railroad Company within the limits of the Fort Yuma reservation was stopped, excepting on the bridge to the extent allowed in the order, namely, "staying waste or injury to their property."

The piers had all been put on excepting the one nearest the north bank of the river, work on which had commenced. Permission was given to the company to complete that one and the span connecting with the bridge.

The discretion given in the order would have allowed them to go on and finish the bridge under the plea of staying waste and injury to work already done and of preserving the timbers from being warped by the extreme heat by putting them into the bridge. The structure is now secure from any danger of being damaged at the present stage of the water. Therefore I have issued the following order:

HEADQUARTERS FORT YUMA, CALIFORNIA,
September 18, 1877.

SUPERINTENDENT OF CONSTRUCTION,
Southern Pacific Railroad:

Under instructions from the Secretary of War, after you have completed the north pier and span of the bridge, you are directed not to make any arrangements for receiv-

ing the draw on to the south pier; not to place any timbers necessary for laying the track or rails on the bridge; nor to drive any piles, or do any grading, or otherwise construct any track north of the pier now being put in or about being finished, until further notice.

THOS. S. DUNN,
Major Twelfth Infantry, Commanding Post.

I most respectfully ask that my action be approved or definite instructions given.

THOS. S. DUNN,
Major Twelfth Infantry, Commanding Post.

Col. J. C. KELTON,
Assistant Adjutant-General Military Division Pacific,
San Francisco, Cal.

HEADQUARTERS MILITARY DIVISION PACIFIC
AND DEPARTMENT CALIFORNIA,
San Francisco, September 25, 1877.

Official copies respectfully forwarded to the Adjutant-General.

I. McDOWELL,
Major-General, Commanding Division and Department.

WASHINGTON, D. C., *September* 22, 1877.

GENERAL: I have received telegram of this date from Gov. John C. BROWN, vice-president Texas and Pacific Railway, in reference to the Southern Pacific Railroad of California building a railroad-bridge across the Colorado River, as follows:

PHILADELPHIA, *September* 22, 1877.

JOHN N. BOFINGER,
Washington:

Our California director, Thomas L. Nesmith, in answer to my query of yesterday, whether work was progressing on the bridge at Yuma, replies as follows: "Finlay, Southern Pacific ticket-agent at Yuma, says, completion of bridge uncertain; probably about October 1. Some work being done finishing California pier." I have no doubt whatever that the work is progressing on the bridge, and I am perfectly confident that the order obtained to save material from loss and waste was a mere pretext of the Southern Pacific Railroad Company, under which to complete the bridge across the Colorado River. Nothing short of an unequivocal order prohibiting all work on the reservation or upon the bridge, which crosses a navigable stream, will prevent that company from completing the work in defiance of law.

JNO. C. BROWN,
Vice-President Texas and Pacific Railway.

Respectfully,

JOHN N. BOFINGER.

General E. D. TOWNSEND,
Adjutant-General U. S. A., Washington, D. C.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, September 22, 1877.

SIR: Your communication of this date has been submitted to the Secretary of War.

The Secretary directs me to say that the last instructions sent to Major General McDowell, in relation to continuation of work on the railroads through the Fort Yuma reservation, were fully considered by

the President and Cabinet, and that any representations you wish to make on that subject should be made to General McDowell.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Adjutant-General.

JOHN N. BOFINGER, Esq ,
City of Washington.

[Telegram.]

SAN FRANCISCO, CAL., *September* 24, 1877.

To ADJUTANT GENERAL,
Washington, D. C.:

I have received a complaint from Governor Brown, vice-president Texas Pacific Road, that the Southern Pacific Road, under cover of authority to carry on work at Yuma to stay waste and protect property, are finishing their bridge across Colorado River, and asking me to treat that company just as I treated his, and I have telegraphed him as follows:

My action in the matter of use of Fort Yuma military reservation by your company was simply to disapprove of the assumption of authority by local commander, in granting what he had no power to grant. Neither he nor I have the power to grant any privileges; this belongs to the War Department and Congress. Personally, I wish both companies may build their bridges; meanwhile I have only to carry out the orders of the Secretary of War, and by reports just received from commanding officer of Fort Yuma, it is seen that the orders of the Secretary to allow only such work as may be necessary to stay waste and protect property have been, and are now, enforced. The extent of such work is in accordance with judgment of the post commander, and not of that of the Southern Pacific Road; on the contrary, that road complains of the action taken.

McDOWELL,
Major-General.

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, September 25, 1877.

Seen by the Secretary, and reply verbally communicated to Governor Brown, that the department would give no further orders in the matter.

E. D. TOWNSEND,
Adjutant-General.

[Special Orders No. 120]

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC AND DEPARTMENT OF CALIFORNIA,
San Francisco, Cal., September 30, 1877.

[Extract.]

1. An officer, one sergeant, one corporal, and ten men of company K, Twelfth Infantry, at Angel Island, California, will proceed by the 4 o'clock p. m. train to-morrow, October 1, to Fort Yuma, California, for temporary duty at that post. The Quartermaster's Department will furnish the necessary transportation.

* * * * * * *

By command of Major-General McDowell :

J. C. KELTON,
Lieutenant-Colonel, Assistant Adjutant-General.

[Telegram.]

SAN FRANCISCO, CAL., *October* 2, 1877.
(Received October 2, Washington, D. C.)

To ADJUTANT-GENERAL,
Washington, D. C.:

The orders of the Secretary of War to stop all work on the Fort Yuma military reservation by the Southern Pacific Railroad Company, subsequently modified to suffer them to continue work only to the extent of staying waste or injury to their property, or opening the way for the passage of steamboats, were duly communicated to and accepted by the president of the company; but to-day I received the following from the commanding officer Fort Yuma:

> I gave orders yesterday to the superintendent to stop all work of construction within the limits of the reservation. After twelve o'clock last night they commenced laying track to and across the bridge. I tried to stop the work, but not having any force, could not. They propose to run a train across this morning.
>
> THOS. S. DUNN,
> *Commanding Post.*

I immediately sent this telegram to the president of the Southern Pacific Railroad. He says that, under the decision of his chief engineer, it was necessary to complete the bridge in order to save waste and destruction, as provided by the orders of the War Department. He had given directions to complete the bridge some two weeks ago, but having learned yesterday that the superintendent of bridge construction had directed that the bridge must be finished, even if the commandant of Fort Yuma ordered work stopped, he immediately sent orders that this was wrong, and that if ordered to stop by competent military authority they must obey. He also immediately telegraphed the superintendent to obey Major Dunn and stop work. I have telegraphed commanding officer Fort Yuma to order the company to place their affairs in the state they were before disobeying his orders, and shall send him a detachment to-morrow to aid him in doing his work. The company were not warranted in ordering the bridge completed under the plea of staying waste; still less were they in attempting to lay their track across the bridge. I make this lengthy statement in view of previous action I have taken and recommended.

IRVIN. McDOWELL,
Major-General Commandiny Department.

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,
Washington, October 3, 1877.

Major-General MCDOWELL, U. S. A.,
Commanding Division Pacific, San Francisco, Cal.:

Your dispatch repeated October 2, concerning Southern Pacific Railroad bridge at Yuma, read to the Secretary, who says it was the intention to remit the matter to your discretion in carrying out the orders, and no further orders will be given under existing circumstances.

E. D. TOWNSEND,
Adjutant-General.

[Telegram.]

SAN FRANCISCO, CAL., *October* 3, 1877.
(Received at Washington October 3, 1877, 5.40 p. m.)

To ADJUTANT-GENERAL OF THE ARMY,
Washington, D. C.:

The commanding officer at Fort Yuma telegraphs of the Southern Pacific Railroad bridge over the Colorado that the trains crossed it and defy all government orders. This bridge has been completed by an abuse of the privileges granted the company, and by the professions and statements made by them to me in San Francisco not acccording with their practices at Yuma. While I am told here that the orders of the military commander there were directed to be respected, I find on the heels of their declaration that they proceeded to work after twelve o'clock at night and finished their bridge and road in defiance of the authority of the post-commander, acting under the orders of the Secretary of War; and more than two weeks ago, after getting the permission obtained at my instance and at their request, to continue work only to the extent to stay waste and open the draw for the passage of steamboats, the company gave orders, without my knowledge, to finish their bridge, and here, since the 30th September, after I saw the order telegraphed by the company to Yuma that the orders of the military should be obeyed, they have, as now reported, utterly disregarded those orders, and the president of the road writes to me he has telegraphed Mr. Huntington to go to Washington and see the Secretary of War, to get his permission to complete and use the bridge; this, when the bridge was in actual use at the time he wrote. The post-commander was powerless, all the troops having been withdrawn to go into the field. Though the company have, I think, forfeited all claims to remain on the reservation, they are there by permission of the Secretary of War, and I do not feel warranted in doing more than inform him, as I do by this dispatch, how his permission has been misused; but as I have been much interested in the progress of this road, on acccount of its prospective benefit to the military service, and been even officious in my endeavor to aid it in all proper ways, I felt it due myself personally and the military authority I represent to command that the company be either required to comply with the orders given them, or be prohibited from remaining or coming on the reservation; that this be done either by civil process or military force, as the Secretary's better judgment may direct.

As soon as the companies return from the Columbia, I will send a force to Yuma. Ten men and one officer went yesterday, and I have sent Colonel Wilcox down to-day.

IRVIN McDOWELL,
Major-General.

[Telegram.]

SAN FRANCISCO, CAL., *October* 4, 1877.
(Received at Washington October 4, 1877, 10.22 p. m.)

To ADJUTANT-GENERAL U. S. A.,
Washington, D. C.:

I beg the Department of Justice may be asked to instruct the United States district attorney to confer with and aid me in stopping by civil

process, if I have to resort to it, the abuse by the Southern Pacific Railroad of the privileges granted them at Fort Yuma, Cal.

McDOWELL,
Major-General.

OFFICE OF SOUTHERN PACIFIC RAILROAD
COMPANY OF CALIFORNIA,
No. 9 Nassau street, New York, October 5, 1877.

SIR: My attention is called to a statement published in this morning's newspapers, wherein it is made to appear that the officers or agents of the Southern Pacific Railroad Company have disregarded in some way the order of the military officer commanding the post at Fort Yuma, Cal. The printed reports and my own direct information justify the presumption that no intentional conflict has arisen between the Army officers and the railroad company, for I know that it is the aim and desire of the company to do all in their power to promote the interests of the government in all its departments, and above all to respect the authority of its agents. Whatever may have happened at Fort Yuma, I am satisfied that at most it can only be a misunderstanding of instructions of the officers on one side or the other, or perhaps on both.

Our company having permission to go on and so far complete the railroad-bridge in progress at that point as to protect the structure from damage or destruction—the best and only available site for a bridge is determined to be within the limits of the reservation, on the west bank, while the population and travel and traffic to and from Arizona and Sonora concentrate on the east bank, immediately opposite—renders that the proper terminus for the railroad at present. The river, here narrowed between steep bluffs, has a rapid current, and, in order to prevent the bridge being swept away by freshets, it is necessary to place mattresses to the piers, covered by rock; and, as I suppose, the obvious way to do so was to bring the stone in cars from the quarry to its resting-place on the bridge.

The structure, once made strong enough for construction-trains, has, it appears, been used to cross trains carrying passengers and mails, thereby saving to the people and trade of Arizona the inconvenience, delay, and expense of a hazardous ferry.

In all this I see no derogation of the authority of the United States, nor damage to its interests; but, contrarywise, a valuable addition to the public service. Any conflict in regard to the provisional use of the bridge, therefore, cannot arise from the exigencies of the public service, and if such has arisen it must be either from misinformation at the headquarters of the Army as to our true position and work, or from a misconstruction of orders from the War Department.

I am apprised that complaint has been made to the general commanding the department, by officers of the Texas and Pacific Railway Company, that undue preference is shown in permitting the Southern Pacific bridge to be built, accompanied with the suggestion that orders be given to stop it until certain claims can be examined and settled by Congress.

The courts of California are open for the redress of all grievances, real or pretended, and any exclusive right to bridging the Colorado River would have been asserted there. Besides, our bridge is no interference, the Texas Company being as free to build one as we are. The difference between the companies being that we have one continuous com-

pleted road ready to occupy the bridge, while the complaining company has none nearer than Eastern Texas, 1,250 miles away.

The notion of putting us upon an equal footing of inactivity with the Texas Pacific, and using the Army to tie our hands indefinitely from further construction, is most extraordinary, especially when that company confesses its inability to build another mile of road unless aided by the credit of the United States.

A much more reasonable, just, and beneficent conclusion would be, in view of the fact that the public will be getting all the benefit of the added railroad facilities pending the settlement of any question that may be found to be in dispute, to allow us to go on and strengthen our bridge and use it for the convenience of commerce until Congress or the courts take action. At any rate, I respectfully ask that we may not be disturbed in our work until the arrival of further information, and I hope improved health, also, will enable me to lay the matter before you personally in the course of next week.

Respectfully, yours,

C. P. HUNTINGTON,
Agent and Attorney.

Hon. GEORGE W. MCCRARY,
Secretary of War, Washington, D. C.

1.

[Telegram.]

YUMA, ARIZ., *October* 5, 1877.
(Received at Washington, D. C., October 6, 1877.)

To Hon. SECRETARY OF WAR, *Washington:*

Whereas the trains of the Southern Pacific Railroad Company, carrying United States mails, passengers, citizens' and government freight, have been running into this town for several days; and whereas any impediment thrown in the way of this commerce is a positive detriment to our people on this western line of the Territory, who are absolutely without personal interest in any road that may reach our border; and whereas the condition involves great uncertainty, loss of life, and other evils, for which in the changing character of business would be oppressive if continued:

Resolved, That the mayor and council of the village of Yuma, Ariz., view with surprise and regret the action of the War Department in further restraining the operation of cars into this town, when every facility apparently had been heretofore granted for this purpose, and ignoring any respite or disposition to embarrass this question in any way, do respectfully solicit that department to review its order and rescind the same so far as to permit of the resumption of business by rail across the Colorado.

At a special meeting of the village council of Yuma, held this day, the foregoing preamble and resolution was adopted, with instructions from the board to transmit copies respectively to his excellency the President of the United States, and Hon. Secretary of War.

A. J. FINLAY, *Mayor.*

2.

[Telegram.]

YUMA, ARIZ., *October* 5, 1877.
(Received at Washington October 6, 1877.)

To GEO. W. MCCRARY,
Secretary of War:

The prevention by United States troops of the passage of Southern Pacific Railway trains across the Colorado, and reaching Yuma, inflicts great injury upon mail service and the people, throwing our stage-line into confusion by the obstruction of mail, and real damage to us in delay of mails east of here upon regular running time. We respectfully request the passage of mail and passengers be allowed.

KERNS & MITCHELL,
Overland Mail Contractors.

3.

[Telegram.]

YUMA, ARIZ., *October* 5, 1877.
(Received at Washington October 6, 1877.)

To the SECRETARY OF WAR:

SIR: The undersigned citizens and residents of Yuma respectfully represent that our business, and the welfare and progress of the whole Territory, is seriously interfered with and retarded by the refusal of the military authorities to permit freights, passengers, and mails to be brought into this Territory across the Colorado River over the railway-bridge. This bridge is completed, and has been for the last four or five days, for the passage of trains, to the harm of no one, but to the great benefit and convenience of all. Great expense and inconvenience to persons, and delays to mails, are incurred in ferrying the same over said river; all of which can be avoided by granting permission to close draw and use bridge; which can in no way interfere with navigation. We respectfully ask that our representation be carefully considered.

J. M. BARNEY, *Merchant.*
DAVID NEAHR, *Merchant.*
H. J. FITZGERALD, *Merchant.*
JULIUS SAUTER, *Merchant.*
ISAAC LYON, *Merchant.*
H. N. ALEXANDER, *Probate Judge.*
GEO. TYNG, *Editor.*
A. LORETTE, *Supervisor.*
C. H. NAYLOR, *School Trustee.*

4.

[Telegram.]

YUMA, ARIZ., *October* 5, 1877.
(Received at Washington October 6, 1877.)

To the SECRETARY OF WAR:

SIR: Great inconvenience and suffering to business is experienced here through refusal of military authorities to permit railroad trains to

come across the Colorado River into Arizona. Our people have suffered and waiting here for years for advent of railroads and are now shocked to find the federal government depriving us of the first road to reach our Territory. Mails and passengers are delayed several hours, and goods for days, in being ferried across the Colorado River.

Respectfully,

GEO. TYNG,
Editor Sentinel.

5.

[Telegram.]

YUMA, ARIZ., *October* 5, 1877.
(Received at Washington October 5, 1877.)

To the SECRETARY OF WAR,
Washington, D. C.:

SIR: As one of the merchants of Arizona, I respectfully request that permission be granted for the crossing of railroad-trains on the bridge over the Colorado River. My business, in common with that of other merchants, is materially injured, and the progress of the Territory seriously retarded by the refusal of such permission. I have done business here over twenty-two years, and am conversant with the business of the Territory.

Respectfully,

DAVID NEAHR,
Forwarding Merchant.

NOTE IN ADJUTANT-GENERAL'S OFFICE.—Duplicates of dispatches Nos. 1, 3, 4, and 5, as marked hereon, were also sent, addressed to the President of the United States, on the same date.

POST-OFFICE DEPARTMENT,
Washington, D. C., October 6, 1877.

SIR: I have the honor to forward herewith, for your information and for such action as you may deem advisable, a telegram received at this department this morning from the postmaster at Yuma, Ariz.

I am, very respectfully,

D. M. KEY,
Postmaster-General.

The Honorable the SECRETARY OF WAR.

[Telegram.]

YUMA, ARIZ., *October* 5.
(Received at Post-Office October 6, 1877.)

To Hon. D. M. KEY,
Postmaster-General:

Prompt delivery of mails over route 46018 was stopped this morning by military authorities, causing unnecessary delay of two hours in receiving and some time in dispatching mails; unnecessary because bridge

across Colorado is completed. Draw can be opened after mail-train passes and leave river navigation entirely unobstructed. No good reason for delaying mails exists.

H. S. FITZGERALD,
Postmaster.

WAR DEPARTMENT,
Washington City, October 9, 1877.

SIR: Acknowledging the receipt of your letter of the 6th instant, submitting for such action as may be deemed advisable by this department a telegram from the postmaster at Yuma, Ariz., reporting the delay of a mail-train at that place by the military authorities, I have the honor to inform you that the matter will be attended to at once.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The Honorable the POSTMASTER-GENERAL.

[Telegram.]

YUMA, ARIZ., *October* 9, 1877.

To the PRESIDENT OF THE UNITED STATES,
Washington:

SIR: The people of Yuma having received no response to messages sent you relative to permitting railroad bridge to be used for passage of trains into Yuma, respectfully inquire whether such permission cannot be granted. Freights are coming forward in larger quantities than heretofore. The ferry-boats of Colorado Steam Navigation Company cannot pretend to handle it without greatly delaying transmission of mails, passengers, and so forth. With a bridge completed and ready for use, complaints about such delays are numerous; all classes are impatient.

A. J. FINLAY,
Mayor of Yuma.

YUMA, ARIZ., *October* 9.

To the PRESIDENT OF THE UNITED STATES and the Hon. SECRETARY OF WAR:

SIR: We respectfully call attention to telegram sent you October 5, requesting that trains be allowed to cross over bridge spanning the Colorado River to deliver mails, passengers, and freight in our town. To have enjoyed the advantages arising from completion of the bridge and then to be suddenly forced back to the use of ferries is annoying in the extreme, and positively injurious to our town and vicinity. No one derives any benefit from the policy pursued, and many are seriously injured by delays in transmission of mails, passengers, and freight from California to the Arizona side of the river. Some answer to our telegrams would greatly oblige.

JAMES M. DARLEY.
DAVID NEAHR.
H. FITZGERALD.
JULIUS SAINTER.
ISAAC LYONS.
H. N. ALEXANDER.
GEORGE TYNGUE.

YUMA, ARIZ., *October* 9.

To the PRESIDENT OF THE UNITED STATES and the Hon. SECRETARY OF WAR, *Washington:*

SIR: As a forwarding merchant, I am exceedingly anxious to ascertain whether permission will not be granted to the Southern Pacific Railroad Company to use the bridge completed across the Colorado River at this point. The present mode of ferrying freight from California to the Arizona side is tedious in the extreme, and exceedingly unsatisfactory to my patrons in the interior and to myself. Besides, our mails are delayed daily, sometimes as long as three hours, before leaving the California side. We have all looked anxiously for the completion of the bridge, only to be debared from all advantage arising the refrom. I respectfully solicit some information concerning the matter.

DAVID NEAHER.

OFFICE OF SOUTHERN PACIFIC RAILROAD
COMPANY OF CALIFORNIA,
No. 9 Nassau Street, New York, October 8, 1877.

SIR: A dispatch from the president of the Southern Pacific Railroad Company informs me that the officer in command of the military post at Fort Yuma, California, has directed that all further work on the railroad-bridge across the Colorado River at that point be stopped, and that the use of the bridge for the passage of trains or vehicles be suspended. This, as you are aware, is the second time the progress of this work has been interfered with, the authority for the orders emanating, as we are informed, in the department at Washington. It seems to be unmerited and unnecessary hardship to the railroad company, and is equally an uncalled for infliction upon the business and population of Arizona. I may explain to you that the bridge at Yuma is a necessary appurtenance to the full utility of the railroad lines of this company in California, more than 720 miles in all, which have been constructed at a very great outlay, in good part to accommodate the travel and traffic between the ports on the California coast and the Territories to the eastward, whose active citizens have anxiously awaited the advent of railroad communication, in order to bring their valuable mines of the precious metals and their unrivalled pastures within the limits of profitable working.

Under the authority of the State of California, supplemented by that of the Congress of the United States, the company have carried their lines over three successive high ranges of mountains and across two broad strips of parched desert with remarkable celerity, considering the heavy tunneling, excavations, and other difficulties of construction, so as to comply with the requirements of Congress as prescribed in the act of March 3, 1871, so that continuous railroad communication is now provided between San Francisco, the two ports near Los Angeles, and the Arizona frontier at Yuma. At the Colorado River, however, after overcoming natural obstacles enough to deter most railroad builders, we are met in the very act of consummating our work, and while adding the finishing stroke which was to give utility and value to all we have done, by artificial difficulties thrown in our way, from a source where we had a right to expect nothing but encouragement if not assistance.

Nature has indicated, with emphasis, the proper, the only crossing-point of the Colorado for a railroad-bridge, as is shown by the decision of every civil engineer who has examined it. It is within the limits

of the post, on the right bank of the river, and commercial reasons also designate the town on the opposite shore as the proper place for the temporary terminus of the railroad, until its track is carried farther east up the valley of the Gila. Our track has been carried to the river, and work upon the bridge prosecuted so far as to admit the passage of light trains across it; and some of our engines and equipment, I believe, have been taken to the Arizona side. It is at this juncture we are confronted with an order from the military authority forbidding us from using the bridge and from finishing its structure.

Aside from the serious injury to this company, this military order is an interference with and an onerous burden laid upon the people and trade of Arizona. It is at Yuma, on the east bank of the river, where the great traffic of Arizona, and part of Sonora, concentrates, and where the steamers plying on the Colorado, as well as the long trains of freight-wagons and the passenger-stages concentrate to exchange business with the railroad. To cut us off from this depot is to subject the whole of this transportation, including the United States mails, express-goods, and passengers to the inconvenience, delay, and expense of a precarious ferry over a swift-running stream, and all the disadvantage of a double transfer, while a single one would suffice. It is in effect more than equivalent to removing the end of the railroad a hundred miles away. The local satisfaction at the opening of the bridge (which, by the way, is designed for use by ordinary vehicles as well as cars) is manifested by the enthusiasm which attended the crossing of the first passenger-train into Arizona Territory. No public nor private interest, I am satisfied, can be damaged or endangered by this bridge. It is provided with an ample swing-draw, and does not interfere with the navigation of the river, in which the railroad company is more vitally interested than any one else. The officers of the company are at a loss, therefore, to understand on what ground of objection this summary action is taken before a hearing is given to the parties affected by it.

The attention of the company has been called to a communication made to the general commanding the Department of California by John C. Brown, vice-president of the Texas and Pacific Railway Company, of Philadelphia, in which he informs him that "the Southern Pacific Railroad Company, to protect their property from loss and waste, is completing its bridge across the Colorado River," adding, "We think this great injustice to us, and ought to be stopped at once. We hope and believe you will treat that company just as you treated ours." The issue of this order so promptly after this request leads us to suppose that the honorable Secretary may have been misled into supposing that, in some way, our construction and operation of our bridge at this point was doing an injury to private parties, which it was incumbent on him to prevent or redress. If that is the case, I beg now to inform him that nothing of the kind has taken place. There are no private nor public interests to be damaged by our use of the bridge, but quite the contrary, the public interests and private rights are seriously invaded by this arbitrary action of the Army officers. Especially has this Texas Pacific Company no rights in the premises to be invaded, and certainly none to be protected, by the Army of the United States. The request of the vice-president, Brown, that this company should be put upon the same footing of inaction within the post limits as his own, and that work on our bridge should be stopped in order to do it, is as impudent and deceptive a demand as has come to my notice, and is not entitled to the least weight by the department, much less the extraordinary stoppage of trains with passengers and the mails on public post roads.

It is, I think, easy to see the motives which prompt the Texas and Pacific Company to make the request to stop us from crossing over the bridge, but it is only accountable that the Secretary of War should have yielded to it, upon the theory that he has lent too ready a credence to their assertions.

Whatever rights the Texas and Pacific Railway Company has at Yuma, they are embraced within the acts of Congress, March 3, 1871, and May 2, 1872, which authorized it to construct a railroad from the northeastern corner of Texas to the southwestern corner of California, and which required that not less than one hundred miles per annum of the main line should be constructed at the eastern end, and not less than twenty-five miles per annum at the western end, and a sufficient number of miles to complete the whole within ten years. All the world knows that it has failed to comply with either of these requirements, and that it professes to be utterly unable to build another mile of road unless granted a subsidy by the government. Whatever rights it may have had at Fort Yuma are, therefore, forfeited, or, if not actually dead, require the favorable action of Congress to revive. But this act gave no exclusive right to that company to bridge the Colorado River, nor to occupy the reservation at Yuma with its road; that would have been contrary to public policy.

The same act did, however, authorize and require the Southern Pacific Railroad Company to extend its railroad "to the Colorado River, at or near the 32d parallel of latitude," by or before the first day of July next, and it has done so. Arrived with its track there, it finds the one bank of the river in California occupied as a military post, and the population and traffic centered on the opposite bank in Arizona. It proceeded to add to its continuous completed road the necessary bridge to secure a suitable terminus. The Texas Pacific Railroad, with which it was intended to connect, is at a stand-still in Eastern Texas, 1,250 miles distant. Is it reasonable that we should be asked to keep our road suspended in mid-air, as it were, without proper connection and transfer privileges, until the Texas company gets through soliciting Congress to resuscitate its franchises and land-grants and lend it money enough to build across this interval of 1,250 miles before we can build a bridge?

However vague and unsubstantial its rights may be under the existing law, it has authority enough to go on and build its own bridge at Fort Yuma, if it desires—the same authority we have. There is nothing to prevent its constructing one to-morrow; ours is no interference with it.

We do most earnestly protest, however, against being ranged in the mind of the Secretary of War as standing on an equal footing with that company. Both companies were required to have their roads at the Colorado by this time. Ours is there, while the Texas company has not a mile built in all California, or west of Fort Worth, in Eastern Texas. We have complied with the law at great sacrifice of means and energy; that company has not, but rather is spending its time and exhausting its resources in attempts to influence legislation in its own favor, and at the expense of the public treasury. The effect of the Secretary's order, so far from being for the public benefit, is designed rather to promote a lobbying scheme for lending the national credit to an undeserving, rapacious private corporation, since it seeks to make it appear that without an appropriation of government aid, the construction of the railroad across the continent by the 32d parallel is impossible, whereas more than one-third of it is already in operation, and if it were once understood

that no subsidies would hereafter be granted by Congress, the incomplete gap would be filled within five years, by private capital alone, without asking or committing in any way the national revenues to the work.

It is in this sense, that every mile of railroad constructed across Arizona toward the Gulf and Lower Mississippi is an additional argument against the granting of money-aid to railroad corporations, that our action is construed by the Texas Pacific Company to be adverse to its interests. But for that reason, and for the additional reason that every mile so constructed eastward of California facilitates and lightens the service of the Army in those parts, as well as ministers to the general demand of trade, and also gives assurance of the early completion of a great through line, whose eastern termini will be in Southern States south of the Potomac and Ohio, without any affiliation with the great trunk lines which stretch from Philadelphia to Saint Louis, that we are entitled to the more favorable consideration of the officers charged with the administration of national affairs. We do not, indeed, ask any favor, but are simply asking justice, which, in this case, is simply to keep hands off and let us alone. That our hands should be tied by the agents of the general government, until the parties who have failed in their duties to give us a connecting road to the East, recover from their embarrassment, through access to the public revenues, drawn from a much-taxed industry of the people, is, it seems to us, the height of injustice, and, I think we shall be able to convince the honorable Secretary, a very grave mistake in public policy also.

We shall be glad to have the objectionable order revoked, or, at the least, some statement of the grounds why it was issued and of the necessity of its continuance.

Very respectfully, yours,

C. P. HUNTINGTON,
Agent and Attorney Southern Pacific Railroad Company of California.

Hon. GEORGE W. MCCRARY,
Secretary of War, Washington, D. C.

[Extract from telegram.]

SAN FRANCISCO, CAL., *October* 7, 1877. (Received 12.30 a. m.)

To Hon. G. W. MCCRARY,
Secretary of War, Washington, D. C.:

* * * * * * *

The California Southern Pacific Railroad Company has been a little presuming in the matter of finishing their bridge across the Colorado River, but the government and the people of the United States have so much reason to be thankful to anybody for building a railway from San Francisco to Fort Yuma and across the Colorado, that I hope some allowance will be made. I recommend that you simply consent to the location of the road across the Fort Yuma reservation and across the Colorado, with the use of a hundred feet on each side the track, leaving the company to petition Congress for the title. This cannot interfere with any vested right of the Texas Pacific Road, which thus far has not built a single mile of road west of Concho, in Texas. It is not necessary, but if you deem it prudent, I will go down in person. Otherwise I will start for Washington, via Saint Louis, in a week.

Your predecessor, Mr. Cameron, last year promised this concession to the California company, but I understand the promise was verbal, not written. I will await your answer.

W. T. SHERMAN, *General.*

[Telegram.]

WAR DEPARTMENT,
Washington City, October 8, 1877.

General W. T. SHERMAN,
San Francisco, Cal.:

Congress meets in a week. The matter of granting right of way across Fort Yuma reservation to Southern Pacific Railroad Company will be submitted to that body, which alone has any jurisdiction in the premises. In the mean time everything must remain in *statu quo*. I am not willing to act further on the eve of the meeting of Congress. Please advise General McDowell.

GEO. W. McCRARY,
Secretary of War.

[Telegram.]

SAN FRANCISCO, CAL., *October* 8, 1877.

To Hon. G. W. McCRARY,
Secretary of War, Washington, D. C.:

Dispatch of to-day received. Will instruct General McDowell to maintain the *statu quo* at Fort Yuma, giving him copy of your dispatch.

* * * * * * *

W. T. SHERMAN, *General.*

[Telegram.]

WAR DEPARTMENT,
Washington, D. C., October 9, 1877.

To General IRVIN McDOWELL,
San Francisco, Cal.:

Upon further consideration, the President directs that the military shall not interfere with the temporary use by the Southern Pacific Railroad Company of that portion of their railroad and bridge within the Fort Yuma reservation. While, therefore, no rights are to be conferred upon the company, and all questions are remitted to Congress for settlement, you need not interfere with this use unless such use in some way interferes with the proper control of the reservation by the military authorities. You will inform the company that this permission is subject to the approval of Congress at its next regular session.

GEO. W. McCRARY,
Secretary of War.

POST-OFFICE DEPARTMENT,
Washington, D. C., October 10, 1877.

SIR: I have the honor to transmit herewith, for your information, a telegram from the postmaster at Yuma, Ariz., just received at this department.

I am, very respectfully,

D. M. KEY,
Postmaster-General.

To the Honorable the SECRETARY OF WAR.

[Telegram.]

YUMA, COLORADO., *October* 9.
(Received at Post Office October 10, 1877.)

To D. M. KEY:

Mails are still detained at crossing of Colorado, sometimes three hours. Is it likely to continue? Information desired on account of stage-connection.

H. S. FITZGERALD.

[Telegram.]

SAN FRANCISCO, *October* 12, 1877.

To ADJUTANT-GENERAL, *Washington, D. C.:*

In acknowledging receipt of the Secretary's telegram granting right of way to Southern Pacific Railroad across Yuma reservation, I have to report that same has been communicated to president Southern Pacific Railroad, and to Colonel Willcox, commanding Fort Yuma, who reports that the use of road and bridge will not in any way interfere with control of reservation by military authorities, and traffic over both has therefore been authorized and begun.

McDOWELL,
Major-General.

ANGEL ISLAND, CALIFORNIA, *October* 16, 1877.

SIR: In reply to your communication of this date, I have the honor to state that the Southern Pacific Railroad Company bridge at Yuma is not only a railroad-bridge but a wagon-bridge. The joists for the wagon-road bed were being laid when, by your orders, I interrupted the work.

The company having now obtained the temporary right to open the track and bridge for traffic, I suppose the bridge will be completed. It is undoubtedly intended to be a toll-bridge, as the railroad company or Colorado Steam Navigation Company, which is probably part of the same concern, now run a toll ferry-boat across the river near the bridge, which the latter will supersede.

The quartermaster at Yuma depot pays the company $150 per month for government ferriage. What the company propose to charge in the way of bridge-tolls, I do not know; but I would recommend that the matter be inquired into. No doubt a satisfactory arrangement can be made with the company; but, if not, the matter can be fixed by Con-

gress, if it be laid before that body in time with the proper explanations.

There is another consideration. The bridge equally with the railway track crosses the reservation, and to insure complete military control of the reservation, everything within the limits thereof should, under certain exigencies, be subject to passage of troops and supplies without let or hinderance, or upon terms clearly prescribed beforehand, so as to prevent delay.

Very respectfully, your obedient servant,

O. B. WILLCOX,
Colonel Twelfth Infantry, Brevet Major-General, U. S. A.

Col. J. C. KELTON,
Assistant Adjutant-General, Military Division Pacific,
San Francisco, Cal.

[Indorsements.]

HEADQUARTERS MILITARY DIVISION PACIFIC
AND DEPARTMENT OF CALIFORNIA.
San Francisco, October 17, 1877.

Respectfully forwarded to the Adjutant-General, with the recommendation that the Secretary of War be requested to ask Congress to declare the bridge of the Southern Pacific Railroad, on the reservation of Fort Yuma, free to all persons connected with the government, or on government service, and to all transportation and stores of the government, in consideration of the privileges granted to the company.

IRVIN McDOWELL,
Major-General Commanding Division and Department.

HEADQUARTERS OF THE ARMY,
Washington, October 26, 1877.

Respectfully submitted to the Secretary of War.

I think the company is honestly entitled to tolls, but the rate or measure of tolls should be subject to the discretion of the Secretary of War.

Without the bridge all parties, the government included, would pay ferriage. The bridge is infinitely more convenient, has cost money, and the builders are fairly entitled to reasonable compensation.

W. T. SHERMAN,
General.

SOUTHERN PACIFIC - RAILROAD (constructed line)

CALIFORNIA

STATE OF

Boundary of Reservation

River Bottom Land Subject to overflow

U.S. MILITARY RESERVATION

River Bottom Land Subject to overflow

Slough

River Bottom Land Subject to overflow

FORT YUMA

Slough

TEXAS PACIFIC RAILROAD (Located line)

824 feet

COLORADO RIVER

U.S. MILITARY RESERVATION

ARIZONA TERRITORY

YUMA CITY

MAIN STREET

FIRST STREET

SECOND STREET

THIRD STREET

FOURTH STREET

GILA STREET

MAIN STREET

ALLEY

STREET

AVENUE

GILA RIVER

FORMER MEXICAN BOUNDARY

Scale 800 feet to an Inch

Office S.P.R.R. San Francisco.

I certify this to be a true copy of the official map in this office and made under my supervision and instruction.

(Sig) George E. Gray
Chief Engineer S.P.R.R.

I certify that George E. Gray is the Chief Engineer of the Southern Pacific Railroad.

Attest (Sig) Ralph Stratton
Secretary of the Southern Pacific Railroad.

SOUTHERN PACIFIC RAILROAD COMPANY Seal

(1)

BSB Bayerische StaatsBibliothek
MDZ Münchener DigitalisierungsZentrum Digitale Bibliothek

House documents

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